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## NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 24th September 1955 :—

Issue No.	No. and date	Issued by	Subject
284	S. R. O. 2058, dated the 19th September 1955.	Ministry of Commerce and Industry.	Appointment of a body of persons for complete investigation in the circumstances of the cases of (i) Ishwari Khetan Sugar Mills, Ltd. and (ii) Maheshwari Khetan Sugar Mills, Ltd.
285	S. R. O. 2059, dated the 20th September 1955.	Ministry of Finance (Revenue Division)	Amendment made in the notification No. 45-Customs, dated the 12th May 1954.
286	S. R. O. 2060, dated the 6th September 1955	Election Commission, India.	Election Petition No. 13 of 1953.
287	S. R. O. 2061, dated the 20th September 1955.	Ministry of Food and Agriculture.	Powers conferred on the Central Government in respect of manufacture of Sugar by vacuum pan process shall also be exercisable by certain State Governments.
288	S. R. O. 2101, dated the 17th September 1955.	Election Commission, India.	Election Petition No. 15 of 1954.
289	S. R. O. 2102, dated the 23rd September 1955.	Ditto.	To fill a vacancy in the House of the people in the Seat of a member for the Basirhat constituency in West Bengal.
	S. R. O. 2103, dated the 23rd September 1955.	Ditto.	Appointment of dates of bye-election to be held in the Basirhat Parliamentary constituency in West Bengal.
290	S. R. O. 2104, dated the 21st September 1955.	Ministry of Rehabilitation	Amendments made to the Displaced Persons (Compensation and Rehabilitation) Rules, 1955.
291	S. R. O. 2105, dated the 24th September 1955.	Ministry of Commerce and Industry	Fixation of the maximum and minimum prices of various grades and qualities of rubber.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

**PART II—Section 3****Statutory Rules and Orders issued by the Ministries of the Government of India (other than the Ministry of Defence) and Central Authorities (other than the Chief Commissioners).****MINISTRY OF LAW**

*New Delhi, the 23rd September 1955*

**S.R.O. 2112.**—In exercise of the powers conferred by clause (1) of article 209 of the Constitution, the President hereby directs that the following further amendment shall be made in the notification of the Government of India in the Ministry of Law, No. S.R.O. 215, dated the 9th February, 1952, relating to the execution of contracts and assurances of property, namely:—

In Part IV of the said notification under the head "General Instruments and Contracts", in item 7, after entry (iii), the following entry shall be added, namely:—

"(iv) All contracts and instruments relating to the supply of materials upto the value of Rs. 400/-; by the Works Managers of Ordnance and Clothing Factories."

[No. F.32-III/52-L.]

R. S. GAE, Dy. Secy.

**MINISTRY OF HOME AFFAIRS**

*New Delhi-2, the 23rd September 1955.... .*

**S.R.O. 2113.**—In exercise of the powers conferred by entry 3(b) of the Table annexed to Schedule I to the Indian Arms Rules, 1951, the Central Government is pleased to specify Yuvraj Gitendra Bahadur Singh, a member of the family of the Ruler of Sakthi.

[No. F.8/1/55-Police-IV.]

C. P. S. MENON, Under Secy.

**ORDERS**

*New Delhi-2, the 22nd September 1955*

**S.R.O. 2114.**—In pursuance of the provisions of Section 28(3)(a) of the Government of Part C States Act, 1951 (XLIX of 1951), the President is pleased to determine that the expenditure for the year 1955-56 relating to the Office of the Chief Commissioner, Bhopal, other than the emoluments and allowances of the Chief Commissioner, shall be an amount not more than Rs. 45,000 (Rupees Fortyfive thousand only).

[No. F.16(18)-AC.II/55.]

**S.R.O. 2115.**—In pursuance of the provisions of Section 28(3)(a) of the Government of Part C States Act, 1951 (XLIX of 1951), the President is pleased to determine that the expenditure for the year 1955-56 relating to the Office of the Chief Commissioner, Coorg, other than the emoluments and allowances of the Chief Commissioner, shall be an amount not more than Rs. 37,200 (Rupees Thirtyseven thousand and two hundred only).

[No. F.16(18)-AC.II/55.]

**S.R.O. 2116.**—In pursuance of provisions of Section 28(3)(a) of the Government of Part C States Act, 1951 (XLIX of 1951), the President is pleased to determine that the expenditure for the year 1955-56 relating to the Office of the Lieutenant Governor, Himachal Pradesh, other than the emoluments and allowances of the Lieutenant Governor, shall be an amount not more than Rs. 39,700 (Rupees Thirtynine thousand and seven hundred only).

[No. F.16(18)-AC.II/55.]

**S.R.O. 2117.**—In pursuance of the provisions of Section 28(3)(a) of the Government of Part C States Act, 1951 (XLIX of 1951), the President is pleased to

determine that the expenditure for the year 1955-56 relating to the Office of the Lieutenant Governor, Vindhya Pradesh, other than the emoluments and allowances of the Lieutenant Governor, shall be an amount not more than Rs. 86,000 (Rupees Eightysix thousand only).

[No. F.16(18)-AC.II/55.]

**S.R.O. 2118.**—In pursuance of the provisions of Section 28(3)(a) of the Government of Part C States Act, 1951 (XLIX of 1951), the President is pleased to determine that the expenditure for the year 1955-56 relating to the Office of the Chief Commissioner, Ajmer, other than the emoluments and allowances of the Chief Commissioner, shall be an amount not more than Rs. 36,800 (Rupees Thirtysix thousand and eight hundred only).

[No. F.16(18)-AC.II/55.]

C. GANESAN, Joint Secy.

*New Delhi-2, the 27th September 1955*

**S.R.O. 2119.**—The following Order made by the President is published for general information.

#### ORDER

In pursuance of clause 3 of Article 77 of the Constitution of India, the President is pleased to direct that the administration of the Hindustan Housing Factory, Limited, shall be transferred from the Ministry of Production to the Ministry of Works, Housing and Supply.

RAJENDRA PRASAD,  
*President.*

*New Delhi;*  
*The 17th September, 1955.*

[No. 3/9/55-Pub.I.]

A. V. PAI, Secy.

#### MINISTRY OF EXTERNAL AFFAIRS

*New Delhi, the 1st October 1955*

**S.R.O. 2120.**—(EMIR/1).—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following Rules, namely:—

#### CLASS I AND CLASS II EMIGRATION OFFICERS' RECRUITMENT RULES

1. *Title.*—These Rules may be called "CLASS I AND CLASS II EMIGRATION OFFICERS' RECRUITMENT RULES".

2. *Method of Recruitment.*—The method of recruitment, educational and other qualifications, age limits, scales of pay, period of probation etc., shall be as laid down in the Schedule annexed.

3. *Allowances etc.*—Allowances and other conditions of service will be as applicable to other Central Government servants of similar grades.

4. *Seniority.*—Seniority shall be determined in accordance with Government Orders in force from time to time.

5. *Promotion.*—Promotion from a lower grade to a higher grade shall be by selection on merit, seniority being given credit where other things are equal.

6. *Leave, Postings and Transfers.*—Leave, postings and transfers shall be ordered by the Controller General of Emigration, in conformity with the U.P.S.C. Regulations.

7. *Provident Fund and Pension.*—Officers entering Class I and Class II Services will be eligible for benefits of General Provident Fund and pension, and will be governed by the rules applicable to the corresponding services under the Central Government.

8. *Appointments and Punishments.*—All appointments will be expressed to be made in the name of the President. Imposition of punishments and appeals etc. will be governed by the Central Services (Classification, Control and Appeal) Rules.

9. *Relaxation.*—The provisions in these Rules may be relaxed by the competent authority to the extent absolutely necessary according to the circumstances prevailing on the date of recruitment in consultation with the Union Public Service Commission.

## SCHEDULE

1. S. No.	1	2	3
2. Name of posts	Controller of Emigration, Madras	Protectors of Emigrants, Bombay and Calcutta.	Protectors of Emigrants, Madras, Nagapattinam, Tuticorin and Nandapam Camp.
3. No. of posts	1	2	4
4. Classification and whether Gazetted or non-Gazetted.	Class I General Central Services Gazetted.	Class I General Central Services Gazetted.	Class II General Central Services Gazetted.
5. Scale of pay	Rs. 600—40—1000—50/2—1150	Rs. 350—350—380—380—30—590—EB—30—770—40—850	Rs. 275—25—500
6. Whether a Selection post or a non-Selection post.	Selection post	Selection post	Selection post.
7. Age limits for direct recruits	No direct recruitment	Between 35 and 45 years. Not applicable to Government servants.	Between 30 and 40 years. Not applicable to Government servants.

NOTE.—Age limits shall be relaxable in favour of certain categories e.g., members of Scheduled Castes Tribes, Displaced persons, retrenched employees etc. in accordance with the orders issued by the Government of India from time to time.

8. Educational and other qualifications required.	(a) By promotion of	Essential	Essential
	(i) Class I Protector of Emigrants with practical experience of emigration work for at least five years.	(i) At least a Second Class degree in Arts and Science of a recognised University.	(i) At least a Second Class degree in Arts and Science of a recognised University.
	(ii) Class II Protector of Emigrants with practical experience of emigration work for at least seven years.	(ii) Administrative of experience for about five years preferably in a post involving statutory duties and/or duties connected with the regulation of employment of skilled or unskilled personnel. In the case of Government servants about five years, experience in a post involving practical work connected with the administration of the Indian Emigration Act will be acceptable.	(ii) Administrative experience of about three years preferably in a post involving statutory duties and/or duties connected with the regulation of employment of skilled and unskilled personnel. In the case of Government servants, about three years' experience in a post involving practical work connected with the administration of the Indian Emigration Act will be acceptable.
	(b) By transfer of Class I Officer of the Central Government possessing outstanding record of executive work, with experience of at least seven years of work similar to Emigration necessitating close contact with the Public.		(iii) Reading and writing knowledge of local languages in addition to working knowledge of Hindi.

- (iii) Reading and writing knowledge of local languages in addition to working knowledge of Hindi. *Desirable.* Degree in Law.
9. Whether age and educational qualifications prescribed for direct recruitment will apply in case of recruitment by promotion/transfer. Recruitment will be only by promotion and/or or by transfer. No age limits will apply. *Desirable.* Degree in Law. Recruitment will be only by promotion and/or by transfer. No age limits will apply. Recruitment will be only by promotion and/or by transfer. No age limits will apply.
10. Period of probation, if any. One year which may be extended at the discretion of appointing authority. One year which may be extended at the discretion of appointing authority. One year which may be extended at the discretion of appointing authority.
11. Methods of recruitment i.e. whether by direct recruitment, by promotion or by transfer and percentages of vacancies to be filled by the various modes. 50% by promotion of Protector of Emigrants in the scale of Rs. 275—500 or by transfer from a Central Service Class II or Class I of an Officer possessing outstanding record of executive experience with experience of five years of work similar to Emigration work and 50% by direct recruitment. 50% by promotion from Class III Officers for the Emigration Establishments in India with total service of ten years of which three years should have been of Emigration work or by transfer of an officer of Central Service Class II possessing three year's experience of Emigration or similar work.
- NOTE.—For purposes of filling vacancies by promotion/transfer and direct recruitment, all the six posts of Protectors of Emigrants will be taken as a group.
12. In case of vacancies filled by promotion/transfer, grades/sources from which promotion/transfer are to be made. By promotion of a Class I or Class II Officer of the Central Government and/or by transfer of a Class I Officer of the Central Government. By promotion of a Class II Officer of the Central Government and/or by transfer of a Class I Officer of the Central Government. (i) By promotion of a Class III employee of the Emigration Establishments in India ; (ii) By promotion and/or by transfer of a Class II Officer of the Central Government.
13. If a D. P. C. exists for recruitment by promotion, composition thereof. (1) A Member of the Union Public Service Commission (*Chairman*) (2) Controller General of Emigration (3) Under Secretary in the Ministry of External Affairs dealing with Emigration. } Members.
14. Circumstances in which Union Public Service Commission is to be consulted in making recruitment. No. (3) will also act as Secretary to the Committee According to the requirements of the Union Public Service Commission (Consultation) Regulations.

[No. F.12-32/52-EMI.]

KHUB CHAND, Controller General  
of Emigration & Joint Secy.

**MINISTRY OF FINANCE**  
(Deptt. of Company Law Administration)

*New Delhi, the 23rd September 1955*

**S.R.O. 2121.**—In pursuance of sub-section (3) of section 6 of the Rehabilitation Finance Administration Act, 1948 (XII of 1948), read with rule 7 of the Rehabilitation Finance Administration Rules, 1948, the Central Government hereby notifies that Pandit Thakur Das Bhargava, a member of the Advisory Board of the said Administration, having resigned his membership, ceased to be a member with effect from the 13th September, 1955.

[No. F.7(57)-F.III/55(CL.II).]

**S.R.O. 2122.**—In pursuance of Sub-Section (3) of Section 6 of the Rehabilitation Finance Administration Act, 1948 (XII of 1948), read with rule 7 of the Rehabilitation Finance Administration Rules, 1948, the Central Government hereby notifies that Sardar Santokh Singh, a non-official member of the Administration, having resigned his membership, ceased to be a member with effect from the 11th June, 1955.

[No. F.7(57)-F.III/55(C.L.II).]

S. S. SHARMA, Under Secy.

**(Department of Economic Affairs)**

*New Delhi, the 26th September 1955*

**S.R.O. 2123.**—In exercise of the powers conferred by sub-section (2) of section 6 of the Bengal Finance (Sales Tax) Act 1941 (Bengal Act VI of 1941), as extended to the State of Delhi, the Central Government hereby gives three months' notice of its intention to add with effect from the 1st April 1955 the following to the list of exempted goods specified in the Schedule appended to the said Act, namely:—

“44. Indian Food preparations ordinarily sold by Tandurwalas and Dhaba-walas including Rotis, Bhaturas etc.”

[No. F.5(3)-P(ST)/55.]

N. S. PANDEY, Dy. Secy.

**MINISTRY OF FINANCE (REVENUE DIVISION)**

**CUSTOMS**

*New Delhi, the 29th September 1955*

**S.R.O. 2124.**—In exercise of the powers conferred by sub-section (4) of section 100-A of the Sea Customs Act, 1878 (VIII of 1878), as in force in India and as applied to the State of Pondicherry, the Central Government hereby exempts articles falling under its 72, 72(3) and 72(9) of the First Schedule to the Indian Tariff Act, 1934 (XXXII of 1934) and manufactured in a warehouse from foreign aluminium within the meaning of rule 2(d) of the Aluminium (Manufacture in Bond) Rules, 1955, issued under the notification of the Government of India in the Ministry of Finance (Revenue Division) No. 15, dated the 19th February, 1955, when cleared for home consumption, from so much of the duty of customs leviable thereon as is in excess of the duty leviable on the date of such clearance on articles falling under the aforesaid items and imported into India or the State of Pondicherry.

[No. 159.]

JASJIT SINGH, Ly. Secy.

**CUSTOMS**

*New Delhi, the 30th September 1955*

**S.R.O. 2125.**—In exercise of the powers conferred by section 23 of the Sea Customs Act, 1878 (VIII of 1878), as in force in India and as applied to the State of Pondicherry, the Central Government hereby directs that the following further amendment shall be made in the notification of the Government of India in the Ministry of Finance (Revenue Division) No. 93-Customs, dated the 19th November, 1953, namely:—

In the Schedule to the said notification, for Serial No. 13, the following shall be substituted, namely:—

“13. Nicotine and its sulphate including solutions thereof not containing any other pesticidal compounds such as Derris root and Hellebore.”

[No. 158.]

E. RAJARAM RAO, Joint Secy.

## CUSTOMS

New Delhi, the 1st October 1955

**S.R.O. 2126.**—In exercise of the powers conferred by section 23 of the Sea Customs Act, 1878 (VIII of 1878), as applied to the State of Pondicherry, the Central Government hereby exempts goods imported into the State of Pondicherry and specified in column 2 of the Schedule annexed below, from so much of the duty of customs leviable thereon under the Indian Tariff Act, 1934 (XXXII of 1934), as is specified in column 3 of the said Schedule, namely:—

S. No.	Description of goods	Extent of exemption
1	2	3
(1)	Goods which are subject to assessment at <i>ad valorem</i> rates of duties.	5% <i>ad valorem</i>
(2)	Goods which are subject to assessment at specific rates of duties.	5% of the total duty.
(3)	Goods which are subject to assessment at <i>ad valorem</i> rates of duty <i>plus</i> specific rates of duties.	5% of the total duty.

Provided that the following conditions are satisfied in respect of such goods, namely:—

- (i) that they have not been imported under Open General Licences;
- (ii) that they are covered by a valid Import Trade Control Licence issued by the Chief Controller of Imports, Pondicherry;
- (iii) that they do not fall in the category of articles for which, according to the current import policy of the Government of India, no Import Trade Control licences are granted in India; and
- (iv) that they are cleared from Customs control in that State on payment of duty on or after the date of this notification.

[No. 156.]

**S.R.O. 2127.**—In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), the Central Government hereby prohibits the bringing into India of goods imported into the State of Pondicherry on payment of the duty at the concessional rates prescribed in the Government of India, Ministry of Finance (Revenue Division) Notification No. 156-Customs, dated the 1st October, except on payment of the difference between the duty paid at such concessional rates and the duty which would be payable in respect of such goods when they are brought into India from the State of Pondicherry.

[No. 157.]

W. SALDANHA, Dy. Secy.

## ORDER

## STAMPS

New Delhi, the 20th September 1955

**S.R.O. 2128.**—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (II of 1899), the Central Government hereby rescinds this Ministry's order No. 3-Stamps, dated the 31st March, 1954.

[No. 17.]

M. G. MATHUR, Under Secy.

## CENTRAL BOARD OF REVENUE

## INCOME-TAX

New Delhi, the 21st September 1955

**S.R.O. 2129.**—In pursuance of sub-section (4) of Section 5 of the Indian Income-tax Act, 1922 (XI of 1922), the Central Board of Revenue directs that the following further amendment shall be made in its notification No. 32-Income-tax dated 9th November 1946, namely:—

In the Schedule appended to the said notification under the sub-head "IX-HYDERABAD", against Vijayawada Range after entry "6. Raichur" the following entry shall be added, namely:—

"7. Khammameth Circle".

[No. 81/60/30/55-I.T.]

New Delhi, the 23rd September 1955

**S.R.O. 313.**—In exercise of the powers conferred by sub-section (6) of section 5 of the Indian Income-tax Act, 1922 (XI of 1922) the Central Board of Revenue directs that the following further amendments shall be made in its Notification No. 44.—Income-tax dated the 1st July, 1952, namely:—

In the schedule appended to the said Notification for the entries in columns 4 and 5 against S. Nos. 52, 58A, 59, 60, 77 (45), 78 (a) and 78A, the following entries shall be substituted, namely:—

Serial No.	Inspecting Assistant Commissioner of Income-tax	Appellate Assistant Commissioner of Income-tax
1	4	5
52	Inspecting Assistant Commissioner of Income-tax, Delhi Range I, New Delhi.	Appellate Assistant Commissioner of Income-tax, C-Range, New Delhi.
53 A	Inspecting Assistant Commissioner of Income-tax, Delhi Range II, New Delhi.	Appellate Assistant Commissioner of Income-tax, C-Range, New Delhi.
59	Inspecting Assistant Commissioner of Income-tax, Rajasthan and Madhya Bharat, Jaipur.	Appellate Assistant Commissioner of Income-tax, Jaipur.
60	Inspecting Assistant Commissioner of Income-tax, Rajasthan & Madhya Bharat, Jaipur.	Appellate Assistant Commissioner of Income-tax, B-Range, New Delhi.
77 (45)	Inspecting Assistant Commissioner of Income-tax, Rajasthan & Madhya Bharat, Jaipur.	Appellate Assistant Commissioner of Income-tax, Jaipur.
78 (a)	Inspecting Assistant Commissioner of Income-tax, Range I, New Delhi.	Appellate Assistant Commissioner of Income-tax, C-Range, New Delhi.
78 A	Inspecting Assistant Commissioner of Income-tax, Delhi Central Range, New Delhi.	Appellate Assistant Commissioner of Income tax, A-Range, New Delhi.

[No. 82.]

[F. No. 55/113/55-IT]

New Delhi, the 27th September 1955

**S.R.O. 2131.**—In pursuance of sub-section (6) of Section 5 of the Indian Income-tax Act, 1922 (XI of 1922), the Central Board of Revenue hereby directs that the following further amendment shall be made in the Schedule appended to its notification S.R.O. 1214 (No. 44-Income-tax), dated the 1st July 1952, namely:—

In the said schedule, after Serial No. 40 the following item shall be inserted, namely:—

1	2	3	4	5	6
40-A	Employees of the National Carbon Company (India) Limited, Calcutta	Do	Do	Do	Do

[No. 83.]

[55/33/55-IT.]

K. B. DEB, Under Secy.



## MINISTRY OF TRANSPORT

(Transport Wing)

*Lighthouses**New Delhi, the 21st September 1955*

**S.R.O. 2132.**—In exercise of the powers conferred by sub-section (1) of section 6 of the Indian Lighthouse Act, 1927 (XVII of 1927), the Central Government hereby directs that the Superintendent of Lighthouses, Madras District, may enter upon and inspect any local Lighthouses in the States of Travancore-Cochin, Madras and Andhra, and make such inquiries in respect thereof or of the date of its publication.

2. This notification shall remain in force for a period of six months from the date of its publication.

[No. 13-MT(12)/55.]

## MERCHANT SHIPPING

*New Delhi, the 24th September 1955*

**S.R.O. 2133.**—In exercise of the powers conferred by sub-section (3) of section 20A of the Indian Merchant Shipping Act, 1923 (XXI of 1923), the Central Government hereby makes the following further amendment in the Indian Merchant Shipping (Medical Examination) Rules, 1951, namely:—

In rule 11 of the said Rules, for sub-rule (a) the following sub-rule shall be substituted, namely:—

"11. *Validity.*—(a) The certificates of physical fitness issued by the Medical Authority shall be valid for a period of five years from the date of issue, provided that all certificates issued by the Medical Authority and in force immediately before the 24th September, 1955 shall be deemed to be valid for a period of five years from the date of issue."

[No. 3-MS(16)/54.]

S. K. GHOSH, Dy. Secy.

## PORTS

*New Delhi, the 23rd September 1955*

**S.R.O. 2134.**—The following draft certain rules in respect of the Port of Cochin, which the Central Government proposes to make in exercise of the powers conferred by Section 6 of the Indian Ports Act, 1908 (XV of 1908) and in supersession of all the previous notifications issued by the Central Government under the said section of the said Act, and also in supersession of all the notifications issued by the erstwhile Government of Cochin and the Government of Travancore-Cochin, under section 6 of the Cochin Ports Act, 1113 (VI of 1113), as continued in force by the Travancore-Cochin Administration and Application of Laws Act, 1125 (Act VI of 1125), are published as required by sub-section (2) of section 6 of the Indian Ports Act, aforesaid, for the information of all persons likely to be affected thereby; and notice is hereby given, that the said draft will be taken into consideration on or after the 20th October, 1955.

Any objections or suggestions which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

## DRAFT RULES

(1) Fees and charges shall be levied at the Port of Cochin in accordance with any of the Schedule annexed hereto which is applicable to the circumstances of the case.

(2) In calculating the fees or charges, fractions of less than half an anna shall be ignored and fractions of half an anna and above shall be reckoned as one anna.

(3) Applications for refund of fees or charges paid shall not be considered unless submitted in writing to the Port Authority within six months from the date of first payment; and no refund shall be made unless the amount refundable is one rupee or more.

## SCHEDULE

## SECTION I

*Hire of Hand Cranes at the Shallow Wharf*

10-ton hand crane.	Rs. 3-12-0 per hour or part thereof during day or night subject to a minimum charge of Rs. 7-8-0.
2-ton hand crane.	Rs. 1-14-0 per crane per hour or part thereof during day or night, subject to a minimum charge of Rs. 3-12-0 per crane.

NOTES.—(i) The minimum charge will be recovered if a requisition is cancelled in writing before the commencement of the period of hire as specified in the requisition, *provided* that the Traffic Manager, may, at his discretion, waive this charge if the notice of cancellation is received before action has been taken by the Port to comply with the requisition.

(ii) In cases where no written notice of cancellation is received before the commencement of the period of hire as specified in the requisition, charges payable for the full period of requisition subject to the minimum will be levied.

(iii) If the crane is used only for a portion of the period applied for, charge payable for the full period will be levied.

(iv) If the port, in order to suit its convenience, does not supply the crane as per requisition, no charges will be levied provided the Traffic Manager certifies to that effect in writing.

*Conditions of Hire*

(1) The necessary labour shall be supplied by the hirer.

(2) The Port shall not be responsible to the hirer or any other person for any loss or damage arising directly or indirectly from the use of the cranes during the period of hire and the hirer shall be liable to indemnify the Port against all loss or damage.

## SECTION II

*Charges for the hire of Port's plant and appliances*

Charges for the hire of the Port's plant and appliances shall be levied as under:—

Sl. No.	Name of craft, Plant or appliance	Amount of hire		Unit
		Rate.	Minimum.	
1	2	3		4
		Rs.		
1.	Slipway . . . . .	17 10	.	Per 24 hrs. or part thereof.
2.	Pile Driving Pontoon			
	(i) with boiler in commission . . . . .	75 0	.	Per 8 hours or part thereof during day.
		112 0	.	Per 8 hours or part thereof during night.
	(ii) without boiler or mooring tubulars . . . . .	30 0	.	Per day or part thereof.
		45 0	.	Per night or part thereof.
3.	Fender Pontoon . . . . .	45 0	.	Per day or part thereof.
		67 8	.	Per night or part thereof.
4.	Diving Plant . . . . .	13 8	.	Per day or part thereof.
		20 4	.	Per night or part thereof.
5.	12-ton Stationary Crane at Dry Dock . . . . .	60 0	.	Per day or part thereof.
		90 0	.	Per night or part thereof.
6.	Portable Welding Plant . . . . .	30 8	.	Per 8 hours or part thereof during day.
		45 12	.	Per 8 hours or part thereof during night.
7.	3-ton weighing clock or spring balance . . . . .	7 8	.	Per day or part thereof.
		11 4	.	Per night or part thereof.

I	2	3	4
8. Anchor boat . . . . .	22 8	. . . . .	Per day or part thereof.
	33 12	. . . . .	Per night or part thereof.
9. Small rowing boats No. 1 or	3 0	. . . . .	Per day or part thereof.
No. 2.	4 8	. . . . .	Per night or part thereof.
10. Fire Float . . . . .	90 0	. . . . .	For the first 6 hours or part thereof.
	75 0	. . . . .	For the second or any subsequent 6 hours or part thereof.
11. Trailer pump . . . . .	70 0	. . . . .	For the first 6 hours or part thereof
	60 0	. . . . .	For the and second and subsequent 6 hours periods or part thereof. Per running mile.
12. Fire Tender . . . . .	1 12	. . . . .	

NOTES.—1. In cases where hire by night is permitted and the period of hire extends over day and night, both day and night charges will be collected provided that only night hire will be charged if the total period of hire does not exceed 8 hours.

2. In cases where the plant and appliances are hired out for work during day only but are allowed to remain during night at the premises and in the custody of the hirer to suit the convenience of the Port, no extra charges for the night will be charged for, provided that the Traffic Manager, the Executive Engineer or the Mechanical Superintendent, as the case may be, certifies in writing to the effect that the retention of the plant at the hirer's premises during the night was considered necessary and safe to do so, and the plant was not used during night.

#### *Conditions of Hire*

##### 1. For the purpose of these rules—

- (a) "day" means the period from 6 A.M. to 6 P.M. and "night" means the period from 6 P.M. to 6 A.M.
- (b) "period of hire" means the period from the time the plant is made available to the hirer till it is actually returned to the Port.

2. Serial Nos. 2, 3, 6, 10, 11 and 12 of the above table shall not be hired except with the Port crew, and the charges set out in the table include the cost of the services of the crew and of fuel.

3. When Port plant and appliances are requisitioned for a specified number of hours but are used not continuously but at different times to suit the convenience of the Port or due to circumstances beyond the control of the parties concerned, charges will be calculated as if the hire was for a continuous period, by totalling up the broken periods of work, instead of rounding off each spell of work separately, provided a certificate to this effect is produced from the Port's Traffic Manager or the Executive Engineer or the Mechanical Superintendent, as the case may be.

4. The hire charges prescribed in respect of Fire Float under item 10 include the services of the tug towing the Fire Float and the two pumps attached to the Fire Float. Any additional pump used shall be charged for extra at the prescribed rate.

5. If a requisition is cancelled in writing or if the services of the plant or appliances requisitioned for use are not utilised, the lowest hire charges payable in respect of the respective items shall be recovered from the party requisitioning the services of the plant or appliances. The Administrative Officer may, however, at his discretion, waive the charges, if the written notice of cancellation of requisition is received before action has been taken by the Port to comply with the requisition. No charges will be levied if, to suit its convenience, the Port does not supply the plant or appliance at the time requisitioned for.

6. The Port undertakes no responsibility for any loss of life or property or for any damage to person or property, which may be directly or indirectly due to the failure at any stage of such plant or appliances.

7. Where plant or appliances are worked or used by the hirer or by his servants or Agents, the hirer shall be responsible for making good all losses or damages sustained to Port property other than those due to fair wear and tear.

8. Plant and other port appliances may be let out on hire only when they can be spared from their port uses, and normally for use within the limits of the port.

9. In special cases where the Conservator of the Port permits the use of the plant and appliances outside the limits of the Port, the hire charges shall be determined in each individual case.

### SECTION III

#### *Charges for the Hire of Port's Tugs and Launches*

##### *A. Charges for the hire of Port's tugs:*

###### *1. S.T. "Cochin".*

(a) *Services rendered to vessels paying berth hire for assisting them to and from berths.....Free.*

(b) *For towing vessels (other than assistance to vessels paying berth hire).*

*For towing inward*

*For towing outward*

Rs. 135-0-0

Rs. 148-8-0 per hour or part thereof during day.

Rs. 187-8-0-

Rs. 206-4-0 " " " " " night.

Provided that charges at the rates prescribed for night hire shall be levied for every hour or part thereof which extends over both day and night.

(c) *For assisting sea-going vessels in distress within Port limits.*

*Amount of hire*

*Unit*

Rs. 975/

Per 6 hours or part thereof "during day.

Rs. 1350/

" " " " " night.

Provided that charges at the rates prescribed for night hire shall be levied for every period of six hours or part thereof which extends over both day and night.

(d) *For assistance of non-sea-going vessels in distress within Port limits.*

Rs. 135

Per hour or part thereof during day.

Rs. 187-8-0

" " " " " night.

Provided that charges at the rates prescribed for night hire shall be levied for every hour or part thereof which extends over both day and night.

NOTE.—The rates for other services including fire-fighting, salvage and services involving extraordinary risks will be determined by Government in each individual case on recommendations made by the Conservator of the Port.

###### *2. S.T. "Biccu".*

(a) *For assisting sea-going vessels in distress within Port limits.*

Rs. 705

Per 6 hours or part thereof during day.

Rs. 975

" " " " " night.

Provided that charges at the rates prescribed for night hire shall be levied for every period of six hours or part thereof which extends over both day and night.

(b) *For hire including hire for assistance to non-sea-going vessels in distress within Port limits.*

Rs. 97-8-0

Per hour or part thereof during day.

Rs. 135/-t

" " " " " night.

Provided that charges at the rates prescribed for night hire shall be levied for every hour or part thereof which extends over both day and night.

## 3. Tug "Ramavarma"/Tug "Hussaniah".

*Hire including hire for assistance to non-sea-going vessels in distress within Port limits:*

Rs. 21-0-0 Per hour or part thereof during day .

Rs. 31-8-0     ,,     ,,     ,, night

*Provided that charges at the rates prescribed for night hire shall be levied for every hour or part thereof which extends over both day and night.*

*Conditions for the hire of Port's Tugs.*

1. In all cases where the Conservator of the Port decides that the tug should be insured for the period of hire, the owner or owners or agents of the vessel in distress shall pay the insurance premium in respect of the tug plus twenty per cent. of the said premium.

2. In every case the actual cost of replacing any port property lost and repairing any damage done to Port property shall, unless the said loss or damage is covered by the aforesaid insurance, be payable by the owner or owners or agents of the vessel in distress.

3. The tugs shall not be hired except with the Port crew, and the charges set out in the table include the cost of the services of the said crew and of fuel.

4. The Port undertakes no responsibility for any loss of life or property or for any damage to person or property, which may be directly or indirectly due to the failure at any stage of the tugs. The hirer shall indemnify the Port against all loss or damage except loss or damage due to fair wear and tear.

5. "Period of hire" means the period commencing from the time the tug leaves her moorings or previous duty, whichever is later, to the time she returns to her moorings or attends to subsequent duty whichever is earlier.

6. "Day" means the period from 6 A.M. to 6 P.M. and "night" means the period from 6 P.M. to 6 A.M.

7. If the services of the tug are made available not continuously but at different times to suit the convenience of the Port or due to circumstances beyond the control of the parties concerned, charges will be calculated by totalling up the broken periods of work and treating them as one continuous period upto the time the tug finally returns to her moorings or attends to subsequent duty.

8. The tugs may be let out on hire only when they can be spared from their port uses and at the discretion of the Port Authority.

*B. Hire of Port Launches, including hire for assistance to vessels in distress within port limits:*

<i>Sl. No.</i>	<i>Name of Launch</i>	<i>Rate per vessel, assisted</i>
1	M. L. "Pilot"	Rs. 15/- Per hour or part thereof during day, subject to a minimum of Rs. 60/-.
		Rs. 22-8-0 Per hour or part thereof during night subject to a minimum of Rs. 90/-.
2	M.L. "Bartha"	} Rs. 7-8-0 Per hour or part thereof during day subject to a minimum of Rs. 30/-.
3	M.L. "Vypeen"	
4	M. L. "Gundu"	
		Rs. 11-4-0 Per hour or part thereof during night subject to a minimum of Rs. 45/-.
5	M. L. "Survey"	} Rs. 9-6-0 Per hour or part thereof during day.
6	M. L. "Malabar"	
7	M. L. "Derothea"	
8	M. L. "Lconere"	} Rs. 14-1-0 Per hour or part thereof during night.
9	M. L. "Vasco"	
		Rs. 5/- Per hour or part thereof during day.
		Rs. 7-8-0 Per hour or part thereof during night.

*Conditions of Hire*

1. In the above table "day" means the period from 6 A.M. to 6 P.M. and "night" means the period from 6 P.M. to 6 A.M.

2. When a period of hire covers both day and night charges for the hour that extends over both day and night shall be levied at the rates prescribed for

2. For determining the rates on fractions of tons, the same method as for calculating landing and shipping fees and wharfage will be adopted.

<i>Classification</i>	<i>How charged</i>	<i>For goods lying uncleared in the Transit Sheds or in open space</i>	
2 Goods on which the rate of landing fees and wharfage are fixed "per each" or by number.	Per package per week or part of a week.	1st week	20 per cent of the landing fees & wharfage.
		2nd "	50 per cent of the landing fees & wharfage.
		Succeeding weeks	100 per cent of the landing fees and wharfage.
3 Dangerous goods, <i>viz.</i> matches, sulphur, glycerine, pitch, acids other than sulphuric, nitric, carbolic, muriatic and hydrochloric, nitrate of potash and other similar alkalies landed and stored at the wharf.	Transit dues at double the rates as per item 1 above		
4 Sweepings collected on board.	Transit dues as applicable according to above classifications.		
5 Goods from unknown vessels	Transit dues up to a maximum of two months only.		
6 Salvaged goods	Transit dues as per item 1 above.		
7 Overcarried cargo	Transit dues will be charged at the rate applicable to the original consignment		
8 Packages which have been landed empty or partly empty	Transit dues as applicable according to the above classifications.		
9 Uncleared goods left lying in the Transit Sheds or open spaces for over four months pending disposal either by clearance or sale.	Transit dues for four months and storage charges thereafter at the following rate upto and including the date of clearance or sale.		

<i>Description of goods.</i>		<i>Storage Charges.</i>		
		Rs. A. P.		
(i) Bags and bales	Each	0	0	3
(ii) Cases & crates	"	0	0	6
(iii) Casks, kegs, drums & jars	"	0	0	6
(iv) Carriages and motor cars	"	0	6	0
(v) Machinery, unpacked.	Per ton or part thereof.	0	8	0
(vi) Articles not enumerated	Per cwt.	0	0	3

#### B—Schedule of Transit Dues on Tranship Goods

All goods awaiting transhipment . . . . . As per items 1 to 4 of the Schedule of Transit Dues on Imports.

2. Free storage in the Port's transit accommodation at the Willingdon Island wharf will be allowed on wharf cargo for four days excluding Sundays and holidays reckoned as follows:

- (a) Cargo landed direct . . . . . Commencing from the day following the day of completion of discharge of the cargo by the vessel concerned.
- (b) cargo boated to the wharf from ships in stream . . . . . Commencing from the day following the day of completion of discharge of the cargo at the wharf.
- (c) Goods short-landed and over-carried to another port but brought back to Cochin. . . . . Commencing from the day of completion of discharge by the vessel bringing the cargo back.
- (d) Salvaged goods. . . . . Commencing from the day following the notification of salvage by the Receiver of Wreck.

**Exceptions.**—The following periods shall be excluded from the calculations of any period for which free storage is allowed under this rule:

(a) Any period in respect of which the Head of the Customs Department at the Port certifies that the goods were detained by him for no fault or negligence on the part of the importers;

(b) Any period during which the Port is unable to trace the package owing to congestion of accommodation, wrong sorting or incorrect tallying;

**NOTE.**—This period will be reckoned from the day of the receipt of the enquiry for the package in the Office of the Wharf Superintendent to the day succeeding that on which the package is traced out which fact will be announced by a notice affixed to the notice board in the concerned transit shed.

(c) Any period during which goods are detained by the Health Officer or any other Officer duly authorised in this behalf by the Administrative Officer, Cochin Harbour, before being destroyed.

3. Goods detained for survey and actually certified to have been surveyed, either by the Steamer Agents or the Administrative Officer, Cochin Harbour, shall be allowed free storage accommodation for a period not exceeding twenty-one days (excluding Sundays and holidays) from the day following the complete discharge of the wharf cargo by the vessel:

Provided that—

(a) the application for survey giving full details of the quantity, description, marks and numbers of goods to be detained for survey is received by the Traffic Manager within the free days prescribed in rule 1 above;

(b) the actual survey is completed within the twentyone days thus allowed; and

(c) such goods are removed on or before the working day following that on which the survey was completed.

**NOTES.**—(i) In respect of goods surveyed on the last free day, no transit dues will be levied if such goods are removed on the next working day succeeding that on which they were surveyed.

(ii) In the case of salvaged goods detained for survey, the twenty one days excluding Sundays and holidays shall be calculated from the day following the notification of salvage by the Receiver of Wrecks.

4A. After the expiry of the free storage period, import goods are liable to be moved at the discretion of the Traffic Manager. In cases where the moving takes place charges at the following rates shall be levied, except in cases specified in Rule 4B.

- |   |                     |
|---|---------------------|
| (1) Within transit shed or open transit accommodation   | 10 annas per ton.   |
| (2) From the transit sheds to the open transit accommodation or <i>vice versa</i>   | Do.                 |
| (3) From the Transit sheds or the open transit accommodation to other sheds or to the import warehouses or to the open storage area | Rs. 1-14-0 per ton. |

4B. In the case of goods which are charged Landing and Shipping Fees on the basis of a unit of 54 gallons or "each" removing charges shall be levied as follows:—

	For removals covered by items (1) & (2) of Rule 4A above.	For removals covered by item (3) of rule 4A above.
	Rs. A. P.	Rs. A. P.
1. For 54 gallons . . . . .	0 2 6	0 7 6
2. Motor cars, each . . . . .	2 0 6	4 8 6
3. Motor cycles with or without side car, each . . . . .	0 12 6	2 0 6
4. Bicycles, each . . . . .	0 5 0	0 10 0
5. Rickshaws, each . . . . .	0 7 6	0 15 0
6. Other carriages, each . . . . .	0 12 6	2 0 6



5. Transit dues shall not be charged on goods landed in excess of the original manifested quantity provided that they are cleared within 30 days including Sundays and holidays from the day of submission by the Port of the out-turn statement of a vessel from which excess landed goods are landed.

6. In the case of goods ready for despatch by rail within the free period for which requisitions for railway wagons have been made during that period, but which are not removed by rail owing to non-supply of railway wagons and consequently incur transit dues for the second and succeeding weeks, transit dues for the entire period may be levied at the lowest rate applicable to the particular consignment.

7. Goods shall not be delivered until landing fees, wharfage, transit dues and any other charges, leviable under the rules have been paid and the receipt therefor presented to the transit shed clerk.

8. The Port assumes custody of Imports and Tranship Goods except those on which landing fees and wharfage are not paid, from the time they are landed till the expiry of the free period allowed for storage of such goods in the Port's premises.

#### Part II—Exports

1. No goods shall be brought into the Port's transit accommodation for shipment without the previous permission in writing of the Traffic Manager or an officer duly authorised by him in this behalf. All goods so brought shall be allowed free storage in the transit accommodation provided for the class or goods in question for six days, excluding Sundays and holidays, from the actual day of receipt of the goods in the wharf premises in addition to the days the vessel in which shipment is effected remains in Port; or in the case of salvaged goods for six days excluding Sundays and holidays from the day on which the goods are actually salvaged.

2. (a) No free days shall be allowed on goods brought into the Port premises and removed therefrom without a definite attempt at shipment having been made by the shipper. If such cargo is however not removed within 24 hours of the departure of the vessel by which the goods were intended for shipment, transit dues shall be levied at the highest rate in the schedule for the entire period upto and including the day of removal or shipment by a subsequent vessel.

(b) Intended shipments which have been shut out through no fault of the shipper shall, if removed from the premises, receive the benefit of the free period as if they were shipped plus 24 hours, excluding Sundays and holidays after the departure of the vessel which shuts out the cargo. If such goods are not removed within the period aforesaid, transit dues at the schedule rates shall be levied from the time the goods were placed in the Port premises upto and including the day of removal or subsequent shipment.

(c) Goods brought into the Port premises for shipment by a vessel and not shipped owing to the non-arrival of the vessel shall be given free storage for six days excluding Sundays and holidays from the actual date of receipt of the goods in the Port premises. Transit dues at the schedule rate will be levied thereafter upto and including the day of removal or shipment by a subsequent vessel.

3. After the expiry of free days transit dues shall be levied at the rates prescribed in the following Schedule upon all goods left in the port premises subject to a minimum charge of two annas on any one consignment, i.e., the goods covered by one export application.

#### Schedule of Transit Dues on Exports

Classification	How charged	For goods lying in the transit sheds or in the open space
*I. (a) General cargo . . .	Per ton per day.	Rs. A. P.
	1st week . . .	0 1 0
	2nd week . . .	0 2 0
	Succeeding period	0 4 0

Classification	How charged	For goods lying in the transit sheds or in the open space
(b) Goods on which the rate of shipping fees is fixed "per each".	Per Package 1st week . per week or part of a week.	25 per cent. of the shipping fees and wharfage.
	2nd week .	50 per cent. of the shipping fees and wharfage.
	For each succeeding week.	100 per cent. of the shipping fees and wharfage.
II. Salvaged goods . . . .	Same as under I above.	
III. Shut out goods . . . .	Do.	

\*N.B.—(1) For determining the above classification all fractions of a ton exceeding  $\frac{1}{4}$  ton shall be reckoned as one ton.

(2) For determining the rates on fractions of tons, the same method as for calculating landing and shipping fees and wharfage will be adopted.

4. Goods placed in spaces which are not intended as spaces to be occupied by goods in transit may be charged at the maximum transit dues imposed and no free time shall be claimable. Such goods may be removed by the Traffic Manager or an officer authorised by him in this behalf at the expense and risk of the owners or consignees to one of the spaces provided for goods in transit.

5. The Port does not assume any custody of or responsibility for export goods. They remain in the transit accommodation in the custody and at the sole risk and responsibility of the owners or steamer agents as the case may be.

### Part III—General

1. After transit dues begin to accrue no allowance shall be made for Sundays and holidays.

2. If at any time the Administrative Officer should apprehend a serious congestion in the transit sheds or other space allotted for goods in transit to the detriment of the rapid transport of goods through the port, he may direct the owners or consignees of any specified goods to remove such goods from the transit accommodation within a given time. Goods not removed within that time may be charged with transit dues not exceeding Rs. 10 per ton *per diem* until their removal and if on the imposition of such charge the goods are not removed, he may cause them to be removed from the transit sheds or other spaces at the expense of the owners and may stack them in any open space within the port at the risk of the owners.

3. The Administrative Officer, Cochin Harbour, may in special cases, remit the whole or any portion of the charges leviable under these rules.

4. "Day" for the purposes of these rules shall mean the period from 12 midnight on one day to 12 midnight on the succeeding day.

5. For the purpose of these rules "holiday" shall mean any day declared to be a holiday by the Administrative Officer, Cochin Harbour.

## SECTION V

*Miscellaneous Charges**(1) Hire of trays, Tarpaulins and Slings.*

Name of plant or appliance	Amount of hire Rate	Unit
Rs. A. P.		
Trays for tea cases . . . . .	4 8 0	per tray per day or part thereof.
Tarpaulins . . . . .	1 8 0	per tarpaulin per day or part thereof.
Slings :—		
Capacity 1½ tons . . . . .	2 4 0	per sling per day or part thereof.
Capacity 3 tons . . . . .	4 8 0	Do.
Capacity 10 tons . . . . .	9 0 0	Do.
Capacity 20 tons . . . . .	15 0 0	Do.
Capacity 30 tons . . . . .	22 0 0	Do.

Notes.—1. The Port shall not be responsible to the hirer or any other person for any loss or damage arising directly or indirectly from the use of the trays, tarpaulins and slings during the period of hire. The hire shall indemnify the Port against all loss or damage except loss or damage due to fair wear and tear.

2. For the purpose of recovery of the fees for hire specified above the expression "day" shall mean the period from 6 A.M. on one day to 6 A.M. on the next day.

3. No refund of hire charges shall be allowed in case a notice of cancellation of requisition is not sent to the Traffic Manager in writing so as to reach him at least 2 hours prior to the commencement of the period of hire.

*(2) Charges for the use of the Lister Auto-truck*

1. Charges at the Port of Cochin for the use of the Lister Auto-Truck shall be levied as under:—

Per hour or part thereof . . . . . Rs. 3.12.0

2. The Port shall not be responsible to the hirer or any other person for any loss or damage arising directly or indirectly from the use of the Auto-Truck during the period of hire, and the hirer shall be liable to indemnify the Port against all loss or damage.

*(3) Charges for the use of the Willingdon Island Wharves by small craft*

Description of craft	Rate per day or part thereof	Per calendar month or part thereof if a permit is obtained in advance
Rs. A. P.		
1. Wallums . . . . .	0 3 0	3 12 0
2. Lighters and Barges . . . . .	0 6 0	7 8 0
3. Landing craft, tugs and motor launches . . . . .	1 8 0	30 0 0

Provided that craft solely engaged in transporting import or export cargo on which landing and shipping fees at the wharf rates are payable or tugs and

motor launches touching at the wharves for purposes other than loading or unloading, shall be exempt from the payment of the said charges.

NOTE.—“Day” means the period from 6 A.M. on one day to 6 A.M. on the next day.

#### (4) Charges for the use of the Port's Timber Pond

1. Charges at the Port of Cochin for the use of the Timber Pond at the Willingdon Island Shallow Wharf shall be levied as under:—

For storage of timber . . . . . Three pias per log per day or part thereof.

2. The hirer shall supply the necessary labour.

3. The Port shall not be responsible to the hirer or any other person for any loss or damage arising directly or indirectly from the use of the timber pond and the hirer shall be liable to indemnify the Port against all loss or damage.

4. For the purpose of these rules, the expression “day” shall mean the period from 6 A.M. on one day to 6 A.M. on the next day.

#### (5) Charges for Towing sailing Vessels

- |   |                            |
|---|----------------------------|
| (1) For towing between the Pattimar Anchorage No. I (near Vimanativa) and outer roads . . . . .   | Rs. 60 per each operation. |
| (2) For towing between the Pattimar Anchorage No. I and the Pattimar Anchorage No. II (at the south end of Mattancheri Channel) . . . . . | Rs. 21 per each operation. |
| (3) For towing between the Pattimar Anchorage No. II and the outer roads . . . . .  | Rs. 75 per each operation. |
| (4) For towing between the Willingdon Island Wharves and outer roads . . . . .  | Rs. 60 per each operation. |
| (5) For towing between the Willingdon Island Wharves and either the Pattimar Anchorage No. I or the Pattimar Anchorage No. II . . . . .   | Rs. 15 per each operation. |

NOTE.—The Port shall not be responsible to the hirer or any other person for any loss or damage arising directly or indirectly from the use of the tug during the period of hire. The hirer shall indemnify the Port against all loss or damage except loss or damage due to fair wear and tear.

### SECTION VI

#### *Rates for the use of storage space*

##### I. Warehouses—

- |   |  |
|---|--|
| (1) Under permits issued by the Conservator of the Port of Cochin or any other Officer authorised by him in this behalf for periods not exceeding one year. | Rs. 12-8-0 per 100 sq. ft. or less per calendar month or part thereof.                     |
| (2) Under leases for periods  |  |
| (a) Exceeding one year but not exceeding three years.   | Rs. 11-4-0 per 100 sq. ft. or less per calendar month or <i>pro-rata</i> for part thereof. |
| (b) Exceeding three years but not exceeding five years.   | Rs. 11 per 100 sq. ft. or less per calendar month or <i>pro-rata</i> for part thereof.     |

##### II. Sheds except “M” Shed at the Low Wharf.

- |   |  |
|---|--|
| (1) Under permits issued by the Conservator of the Port of Cochin or any other Officer authorised by him in this behalf for periods not exceeding one year. | Rs. 10 per 100 sq. ft. or less per calendar month or part thereof.                         |
| (2) Under leases for periods :  |  |
| (a) Exceeding one year but not exceeding three years.   | Rs. 9 per 100 sq. ft. or less per calendar month or <i>pro-rata</i> for part thereof.      |
| (b) Exceeding three years but not exceeding five years.   | Rs. 8-12-0 per 100 sq. ft. or less per calendar month or <i>pro-rata</i> for part thereof. |

## III. 'M' Shed at the Low Wharf—

Under permits issued by the Conservator or Rs. 12-8-0 per 100 sq. ft. or less per calendar month or part thereof, any other Officer authorised by him in this behalf for periods not exceeding one year.

NOTES.—1. If, in order to suit the convenience of the port, a permit is granted for fractions of a calendar month or if the permit is revoked in the course of a calendar month, rent for the actual period of occupation will be charged on a pro-rata basis.

2. The rates mentioned in sub-items (1) and (2) of Items I and II above apply only to the storage of wharf import or wharf export goods. When goods other than wharf import or wharf export goods are stored within the wharf premises in accommodation leased specifically for the storage of wharf import or export goods and additional rent at a rate equal to the wharfage rate fixed for the class of goods concerned shall also be levied. The storage of such goods will be allowed only in exceptional cases at the sole discretion of the Traffic Manager and with his prior written permission. No services will be rendered by the port in respect of such goods.

## SECTION VII

*Rules for the use of space in the Port's godown at Fort Cochin belonging to the Port of Cochin*

1. The following rules shall apply to all goods including personal effects landed at or brought for shipment to the Port's godowns at Fort Cochin.

2. Goods other than bag cargo shall be allowed to remain free of charge for six working days and bag cargo for three working days excluding Sundays and holidays reckoned from the date of completion of Steamer's discharge in the case of imports and from the actual day of the receipt of the goods in the premises in addition to the days the vessel in which shipment is effected remains in port in the case of exports. In calculating the free period, the day of landing and the day of clearance in respect of imports and the day of receipt and the day of shipment in the case of exports will not be reckoned.

*Exceptions.*—The following periods shall be excluded from the calculation of any period for which free storage is allowed under this rule:—

- (a) Any period in respect of which the Head of the Customs Department at the Port certifies that the goods were detained by him for no fault or negligence on the part of the importers.
- (b) Any period during which goods are detained by the Health Officer or any other officer duly authorised by the Administrative Officer, Cochin Harbour, in this behalf, before being destroyed.

3. (a) No free days shall be allowed on goods brought into the Port godowns at Fort Cochin and removed therefrom without a definite attempt at shipment having been made by the shipper; if such cargo is however not removed within 24 hours of the departure of the vessel by which the goods were intended for shipment, rent shall be levied at the highest rate in the schedule for the entire period upto and including the day of removal or shipment by a subsequent vessel.

(b) Intended shipments which have been shut out through no fault of the shipper shall, if removed from the godowns, received the benefit of the free period as if they were shipped plus 24 hours, excluding Sundays and holidays after the departure of the vessel which shuts out the cargo. If such goods are not removed within the period aforesaid, rent at the schedule rates shall be levied from the time the goods were placed in the godowns upto and including the day of removal or subsequent shipment.

(c) Goods brought into the Port godowns at Fort Cochin for shipment by a vessel and not shipped owing to the non-arrival of the vessel shall be given free storage as per Rule 2 above from the actual date of receipt of the goods in the Port's godowns. Rent at the schedule rates will be levied after the expiry of the free period upto and including the day of removal or shipment by a subsequent vessel.

4. After the above free period, rent will be charged during the first week at the rates given in the Schedule below. After the first week, twice the rates will be charged during the second week and thrice the rates during the third and succeeding weeks in respect of cargo other than bag cargo. For bag cargo rent at thrice the rates in the Schedule will be charged for the second and succeeding weeks.

## SCHEDULE

Description of packages	Rate per day
	Rs. A. P.
(1) Bags and Bales .	
Small, not weighing more than 350 lbs. . . . .	0 0 2
Large, weighing more than 350 lbs. . . . .	0 0 3
(2) Cases and Crates—	
Not exceeding 2 cubic feet . . . . .	0 0 1
Over 2 and not exceeding 6 cubic feet . . . . .	0 0 2
Over 6 and not exceeding 17 cubic feet . . . . .	0 0 3
Over 17 and not exceeding 25 cubic feet . . . . .	0 0 6
Over 25 and not exceeding 50 cubic feet . . . . .	0 0 9
Above 50 cubic feet . . . . .	0 1 0
(3) Casks, Kegs, drums and jars—	
If contents are liquid :—	
Not above 30 gallons capacity . . . . .	0 0 3
Above 30 gallons and not above 60 gallons capacity . . . . .	0 0 6
Above 60 gallons capacity . . . . .	0 0 9
If contents are solid, or semi-solid such as paints, alizarine, cement, chalk, tar, pitch, etc.—	
Not exceeding one foot in height . . . . .	0 0 1
Above 1 and not exceeding 3 feet in height . . . . .	0 0 2
Above 3 and not exceeding 4 feet in height . . . . .	0 0 3
Above 4 and not exceeding 5 feet in height . . . . .	0 0 5
Above 5 feet in height . . . . .	0 0 6
(4) Metals of all kinds, including pipes and tubes, copper yellow metal sheets hardware, also loose articles, such as bricks, tiles, stones, marble slabs, rattan (in bundles), shovels (in bundles), etc. per cwt. .	0 0 2
(5) Carriages and motor cars, each . . . . .	0 6 0
(6) Machinery unpacked per cwt. . . . .	0 0 3
(7) Combustibles . . . . .	†
(8) Valuables, viz. bullion, silver lametta thread, jewellery and silver goods . . . . .	*
(9) Timber per ton of 50 cubic feet . . . . .	0 0 5
(10) Articles not enumerated, per cwt. . . . .	0 0 2

\*Treble the rates quoted for cases and crates of similar size.

†Quadruple the rates shown for cases and crates of similar size.

5. No free period shall however be allowed in respect of goods free of shipping fees.

6. The lowest charge payable under these rules will be one anna.

7. The Administrative Officer, Cochin Harbour, may in special cases, remit the whole or any portion of the charges leviable under these rules.

8. The Port does not assume any custody or responsibility for goods. They remain on port premises in the custody and at the sole risk and responsibility of the owners or steamer agents, as the case may be.

9. The Port does not undertake to supply any labour for handling goods in and out of the warehouses and the parties concerned should supply their own labour.

10. "Day" for the purposes of these rules shall mean the period from 12 midnight on one day to 12 midnight on the succeeding day.

11. "Holiday" for the purposes of these rules shall mean any day declared to be a holiday by the Administrative Officer, Cochin Harbour.

[No. 6-PII(28)/55.]

### PORTS

**S.R.O. 2134.**—In exercise of the powers conferred by sections 33, 35, 46 and 47 of the Indian Ports Act, 1908 (XV of 1908), and in supersession of all previous notifications issued by the Government of India in respect of the Port of Cochin under the said sections of the said Act, and also in supersession of all the notifications issued by the erstwhile Government of Cochin and the Government of Travancore-Cochin under sections 33, 35, 45 and 46 of the Cochin Ports Act, 1113 (VI of 1113), as continued in force by the Travancore-Cochin Administration and Application of Laws Act, 1125 (Act VI of 1125), the Government of India hereby make the following rules for the port of Cochin.

### RULES

Fees and charges shall be levied at the Port of Cochin in accordance with the Schedule annexed hereto which is applicable to the circumstances of the case.

In calculating the above fees or charges, fractions of less than half an anna shall be ignored and fractions of half an anna and above shall be reckoned as one anna.

Applications for refund of fees or charges paid shall not be considered unless submitted in writing to the Port Authority within six calendar months from the date of first payment. No refund shall be made unless the amount refundable is one rupee or more.

This notification shall be deemed to have taken effect on and from the 20th November 1955.

### SCHEDULE

#### SECTION I

#### Port Dues.

NOTE: Until further orders, a surcharge of 33-1/3 per cent. shall be levied on the rates specified in this section.

### SCHEDULE

Vessels chargeable (Sea-going vessels of 15 tons and upwards.	Rate of Port dues per ton.	Frequency of payment in respect of the same vessel
<hr/>		
d. Foreign vessels—		
(a) Vessels engaged in trade with the Straits Settlements or Ceylon—		
(i) Ships . . . . .	Two annas and three pies.	The payment of the due at the port will exempt the ship or steamer for a period of sixty days from liability to pay the due again.
(ii) Steamers . . . . .	Do. . . . .	
(b) Other vessels—		
(i) Ships . . . . .	Two annas and three pies.	The due is payable on each entry into the Port.
(ii) Steamers . . . . .	Do.	
II. Coasting vessels—		
(i) Ships . . . . .	One anna . . . . .	The payment of the due at the port will exempt the ship for a period of sixty days from liability to pay the due again.
(ii) Steamers . . . . .	Two annas and three pies.	
		The due is payable once in thirty days.

**Explanation:—**

In this Schedule .....

- (a) "Ship" means a vessel propelled solely by wind power and "Steamer" means any vessel other than a ship;
- (b) "Coasting Ship" and "Coasting Steamer" means respectively, a ship or steamer which at the Port of Cochin discharges cargo exclusively from, or takes in cargo exclusively for any port on the continent of India or in Burma or in the Island of Ceylon, and "Coasting Steamer" includes a coasting steam vessel having a general pass under section 164 of the Indian Sea Customs Act, 1878.
- (c) "Foreign Ship" or "Foreign Steamer" means respectively, a ship or steamer not being a coasting ship or coasting steamer;

Provided that, for the purpose of the levy of port dues, a vessel shall not be deemed, during one and the same voyage, to be both a coasting ship or steamer and a foreign ship or steamer, but port dues shall, in respect of such voyage, be leviable on such vessels either as a coasting or as a foreign ship or steamer whichever rate is the higher.

**Exceptions:**

1. (i) vessel entering the Port of Cochin in ballast and not carrying passengers shall be charged with port due at three-fourth of the rate with which she would otherwise be chargeable; and
- (ii) When a vessel enters the Port of Cochin, but does not discharge or take in any cargo or passengers therein (with the exception of such nonshipment and reshipment as may be necessary for purpose of repair) she shall be charged with a port due at half the rate with which she would otherwise be chargeable.

**SECTION II.****Fees for Pilotage and other attendant Services****I. Pilotage**

	Scale of fees payable	Remarks
	Rs. A. P.	
(1) Steamers—		
(a) For pilotage inward . . . . .	0 0 6	Per registered ton, subject to a minimum of Rs. 30/- per steamer.
(b) For pilotage outward . . . . .	0 0 6	
(c) For either inward or outward pilotage between 6-30 P.M. and 12-00 midnight	37 8 0	In addition to the fee payable under (a) or (b).
(d) For either inward or outward pilotage between midnight and 6-00 A.M. and also for pilotage which commences before midnight and extends beyond midnight.	75 0 0	
(2) Other vessels—		
(e) Vessels in cargo (for pilotage inward or outward)	0 2 0	Per ton.
(f) Vessels in ballast (for pilotage inward or outward)	0 1 0	Do.

- NOTES: 1. In the above table, "steamer" means any vessel other than a vessel propelled solely by wind power.
2. The Administrative Officer, Cochin Harbour may, in special cases, remit the whole or any portion of the fees leviable in accordance with item (c) and (d) above.



	Scale of fees payable	Remarks
	Rs. A. P.	
II. <i>For Boats employed for the stern fusts of a steamer</i>	6 12 0	Per Boat.
III. <i>Detention charges on Steamers</i>		
(i) For cancellation of a requisition for the services of a Pilot with less than one hour's notice to the Deputy Conservator	45 0 0	
(ii) For detention of a Pilot by a steamer for more than thirty minutes beyond the time for which the requisition was made—		
For the first hour or part thereof	45 0 0	
For every subsequent hour or part thereof	25 0 0	

- NOTES: 1. In cases where a pilot boards a steamer but has to return on being informed that his services are not required, "cancellation charges" specified in sub-item (i) above shall be levied.
2. If a pilot is made to wait for more than 30 minutes after boarding the steamer and is informed that his services are not required "detention charges" specified in sub-item (ii) shall be levied in addition to "cancellation charges" specified in sub-item (i) above, provided that the Deputy Conservator may, at his discretion, waive the whole or part of the "Detention Charges" so incurred, if the pilot is made to wait on board the steamer owing to circumstances beyond the control of the Master of the steamer, and if the pilot certifies to that effect in writing.

## SECTION III

*Berth Hire*

(NOTE: The charges specified in this section shall be subject to a surcharge of 33-1/3%).

*Rates of Berth Hire*I. *Steamers:*

	Rs.
(i) Occupying a wharf berth or a stream berth	50 Per steamer per day or part of a day.
(ii) Anchoring with their own gear anywhere in the dredged area and deep water channels navigated by sea-going vessels.	5 Per vessel per day or part of a day subject to a minimum of Rs. 20/- per vessel.

II. *Sailing Vessel:—*

(i) Occupying a wharf berth or a stream berth	30 Per vessel per day or part of a day.
(ii) Occupying a low wharf berth or jetty at Willingdon Island.	15 Per vessel per day or part of a day.
(iii) Anchoring with their own gear anywhere in the dredged area and deep water channels navigated by sailing vessels.	5 Per vessel per day or part of a day subject to a minimum of Rs. 20/- per vessel.

- NOTES: 1. A day shall be reckoned as 24 hours from the time mooring in a berth or anchoring is completed.
2. (a) A steamer shifting from a stream berth to a wharf berth or *vice versa* shall be liable to pay the fees chargeable for the original berth calculated for the entire period the vessel is in port.
- (b) A sailing vessel shifting from a low wharf berth to a stream or wharf berth or *vice versa* shall be liable to pay the fees chargeable for the stream or wharf berth, as the case may be, for the day of shifting.
3. Country sailing craft anchoring with their own gear in the areas set apart for them by the Conservator of the Port shall not be charged any berth hire.

III. *Shifting and Remooring of Vessels.*

(a) For shifting a steamer to another berth	Rs. 30 per steamer.
(b) For remooring a steamer	Rs. 20 Do.

- NOTES: 1. When a moored steamer is shifted for the convenience of the Port, no shifting or remooring fees shall be charged. When a moored steamer is shifted and remoored for its own convenience or for the convenience of another steamer, the steamer for whose convenience the shifting takes place shall pay the shifting and remooring fees.
2. When a steamer which has to land or ship goods at the wharf not exceeding 100 tons is shifted from a mooring berth to a wharf berth or vice versa, no fees shall be charged for shifting and remooring the steamer on the first occasion but on subsequent occasions fees at the rate prescribed above shall be charged.
3. These charges are in addition to "Berth Hire" specified in items I and II above.
4. Shifting as applied to sailing vessels shall be between the fairway buoy and sailing vessels anchorage of Fort Cochin Wharf. Beyond these points within the harbour they shall proceed only under tow with the permission of the Deputy Conservator, no pilot being required.

## SECTION IV

*Fees for the supply and use of Cranes at the Wharf***I. Cranage charges against Importers or Shippers.****(1) On cargo paying wharfage.**

	Rs.	A.	P.	
(i) For lifts upto and inclusive of $1\frac{1}{2}$ tons each.	0	10	0	Per ton or part thereof per hoist.
(ii) For lifts exceeding $1\frac{1}{2}$ tons but not exceeding 10 tons each.	6	4	0	Per ton or part thereof per hoist.

Provided that cranage charge will not be levied for the operation of landing or shipment if incurred by Importers or Shippers.

**(2) On cargo not paying wharfage.**

	Rs.	A.	P.	
(i) Cranes of 3 tons capacity or under during day or night.	12	8	0	Per crane per hour or part thereof.
(ii) Cranes of over 3 tons capacity during day or night.	37	8	0	Per hour or part thereof.

NOTE: In cases where no written notice of cancellation is received before commencement of the hire or where the crane is not utilised to the full extent specified in the requisition, no refund of charges paid shall be allowed. If the Port does not of its own accord supply the crane or supplies it to a partial extent to suit its convenience, charges will be refunded to the extent of non-supply, provided the Traffic Manager certifies to that effect in writing in each case.

**II. Charges against Masters, Owners or Agents of Vessels for loading or unloading of Vessels berthed at the wharf frontage.**

- (a) Cranes of 3 tons capacity or under during day or night. Rs. 2 0 0 Per hour or part thereof per crane requisitioned by each applicant and supplied, subject to a minimum charge of Rs. 8/- per crane.
- (b) Cranes over 3 tons capacity during day or night. Rs. 15 0 0 Per hour or part thereof per crane.

NOTE: A charge of Rs. 8/- per crane in the case of cranes of 3 tons capacity and under, and Rs. 15/- per crane in the case of cranes of over 3 tons capacity will be recovered if a requisition is cancelled in writing before the commencement of the period of hire provided that the Traffic Manager may at his discretion waive this charge if the notice of cancellation is received before action has been taken by the Port to comply with the requisition. In cases where no written notice of cancellation is received before the commencement of the period of hire or where the crane is used only for a portion of the

period applied for, charges payable for the full period of requisition will be recovered. If the Port is unable to supply the cranes to suit its convenience, either for the entire period of requisition or for a part thereof, no charges will be made for the period of non-supply, provided the Traffic Manager certifies to that effect in each case.

### III. Hire for other purposes.

	Rs. a. p.	
(a) Cranes of 3 tons capacity or under during day or night.	3 12 0	Per crane per hour or part thereof, subject to a minimum charge of Rs. 15/- per crane from each person requisitioning their use.
(b) Cranes of over 3 tons capacity during day or night.	37 8 0	Per crane for the first hour or part thereof and Rs. 12-8-0 for every subsequent hour or part thereof from each person requisitioning their use.

**NOTE:** A charge of Rs. 15/- per crane in the case of cranes of 3 tons capacity and under, and Rs. 37-8-0 per crane in the case of cranes of over 3 tons capacity will be recovered if a requisition is cancelled in writing before the commencement of the period of hire provided that the Traffic Manager may at his discretion waive this charge if the notice of cancellation is received before action has been taken by the Port to comply with the requisition. In cases where no written notice of cancellation is received before the commencement of the period of hire or where the crane is used only for a portion of the period applied for, charges for the full period of requisition will be levied. If the Port is unable to supply the crane(s) to suit its convenience, either for the entire period of requisition or for a part thereof, no charges will be made for the period of non-supply, provided the Traffic Manager certifies to that effect in each case.

### IV. Conditions for the supply and use of cranes in general.

1. The working hours for cranes shall be from 8 A.M. to 12 NOON and from 1 P.M. to 5 P.M. and from 6 P.M. to 10 P.M. and from 11 P.M. to 3 A.M. Work beyond these hours allowed by the Traffic Manager as a special case will be charged for at the usual rates.

2. The hire charges will commence from the time the cranes are made available for use.

3. The Port shall only man and work the cranes. The labour for slinging and unslinging the crane shall be supplied by the users concerned.

4. Requisitions for cranes shall be made out in duplicate in the prescribed form, signed by the hirer concerned showing the number and description of cranes required, from what time, and for how long, or for handling how much quantity etc., and delivered to the Wharf Superintendent. Applications for work during day must reach the Wharf Superintendent not later than 3 P.M. on the previous day and for work during night not later than 2 P.M. on the same day, if it is a working day, otherwise not later than 3 P.M. on the previous working day. If requisitions are received after the prescribed time, the crane may be supplied only, if available.

5. When cranes are required for longer periods than requisitioned for, a fresh requisition shall be submitted at least one hour before the expiration of the period mentioned in the original requisition.

6. It is the responsibility of the hirer to see that loads greater than their marked lifting capacities are not put on the cranes.

7. Under no circumstances whatever shall cranes be employed for the purpose of breaking up or removing goods from under the coamings.

8. The crane shall be used alone and no other lifting gear shall be used in conjunction with it on any one lift without prior permission in writing of the Traffic Manager.

9. Ship's Officers must see that the Port's cranes work quite clear of ship's gear and of all obstructions.

10. For purposes of levy of charges as detailed above, the capacity of a crane shall be determined by the capacity of the hook actually used for working the crane as certified by the Wharf Superintendent. If, however, a hook different from the one requisitioned by a party is supplied to suit the Port's convenience, charges applicable to the hook requisitioned shall alone be recovered.

11. The Port shall not be responsible to the hirer on any person for any loss or damage arising directly or indirectly from the use of the cranes during the period of supply of hire. The hirer shall indemnify the Port against all loss or damage, except loss or damage due to fair wear and tear.

12. When cranes are requisitioned for a specified number of hours but are made available not continuously but at different times to suit the convenience of the Port, charges will be calculated as if the hire was for a continuous period by totalling up the broken periods of work instead of rounding of each spell of work separately.

#### SECTION V

*Charges for the supply and use of the Floating Crane "St. George".*

##### *I. Against Masters, Owners, or Agents of vessels for loading into or unloading from vessels*

(a) For landing or shipping at the wharf or of goods to or from the wharf, or in the Mattancherry channel :

Rs. a. p.

(i) For lifts not exceeding 10 tons . 6 4 0 Per ton of 20 cwt. or part thereof subject to a minimum of Rs. 62-8-0.

(ii) For lifts exceeding 10 tons but not exceeding 30 tons. 12 8 0 Per ton of 20 cwt. or part thereof.

NOTE—Provided that if in any special case the Port agrees to handle lifts exceeding 30 tons, the charges therefor shall be levied at Rs. 18-12-0 per ton of 20 cwt. or part thereof.

##### *II. For other purposes.*

(b) For lifts temporarily landed and shipped or shifted during landing and shipping operations, the period of use being reckoned from the time the crane is engaged till its release as recorded in the crane's log. 62 8 0 Per hour or part thereof.

(c) For any operation within Port limits other than those under (a) and (b) above the period of hire being reckoned from the time the crane is made available till its release, as recorded in the crane's log. 225 0 0 Per hour or part thereof.

NOTES 1.—No charges shall be levied for the use of the floating crane for handling wharf heavy lifts during the operation of landing or shipping, i.e. unloading from pontoon to wharf in the case of import cargo and loading from wharf to pontoon in the case of export cargo.

2. For work at night, or on Sundays and other holidays declared in this behalf by the Administrative Officer, an extra charge of Rs. 12-8-0 per hour or part thereof subject to a minimum of Rs. 62-8-0 for work during day or night will be levied.

3. Extra charges for "work at night or on Sundays and other holidays" shall be levied for the whole period the crane is at the disposal of the hirer.

4. If the crane is kept idle on requisition to suit Port's convenience and extra charges accrue for night, Sunday or holiday work on this account, the extra charges shall be waived. Each case will be decided on its merits by the Administrative Officer.

5. For the calculation of the detention period the different periods of detention shall be totalled up and charges levied accordingly instead of each period being rounded off separately.

6. If the crane is used beyond Port limits, fee shall be charged at such rates as may be fixed by the Administrative Officer in each particular case.

7. For services of the tug engaged for towing the floating crane within Port limits no extra charges will be made.

#### *Conditions of Hire*

1. The Port shall only man and work the crane, the labour required for handling the cargoes being supplied by the parties concerned. Labour can be supplied by the Port, if so desired at rates to be fixed by the Traffic Manager.

2. The crane and slings shall be supplied subject to the condition that the Port shall have no responsibility for any loss of or damage or injury to life or property which may be directly or indirectly due to the failing of the crane or slings, at any stage, or any act or default of any employee of the Port or any other person, and the hirer shall indemnify the Port against claims for all loss or damage except loss or damage due to fair wear and tear.

3. Except where the Traffic Manager in his discretion decides otherwise, the crane shall ordinarily be supplied according to priority of requisition.

4. Requisitions for the use of the crane shall be made in the prescribed form and shall reach the Traffic Manager during working hours at least 24 hours before the time it is required.

5. When a requisition for the crane is cancelled the following fees shall be charged, provided that no such fees shall be levied if a written notice of cancellation is received by the Traffic Manager clear 24 hours before the time from which the crane was requisitioned.

(i) If a requisition is cancelled in writing, within 24 hours preceding the time from which the crane was requisitioned, a fee of Rs. 62-8-0 shall be charged.

(ii) If a requisition is cancelled after the time from which the crane was requisitioned, a fee of Rs. 12-8-0 per hour or part thereof subject to a minimum of Rs. 62-8-0 shall be charged from the time for which the crane was requisitioned till the return of the crane to its moorings or the time of receipt of the cancellation whichever is earlier.

(iii) In the case of a requisition not being cancelled or the crane not being used at all, a fee of Rs. 12-8-0 per hour or part thereof subject to a minimum of Rs. 125 shall be charged from the time for which the crane was requisitioned till its return to its moorings as recorded in the crane log.

NOTES.—(a) In cases where the Port's convenience is involved the fees prescribed in sub-rules (i) and (ii) above shall not be charged, provided a certificate to that effect is issued by the Traffic Manager in each case.

(b) Only the minimum prescribed under rule 5(ii) or (iii) above shall be charged in case the crane has not left its moorings.

6. In cases where the Port, for any reason, is unable to supply the crane as per requisition to suit its convenience, either for the full period of the requisition or for a part thereof, no charges will be made for the period of non-supply, provided a certificate to that effect is issued by the Traffic Manager in each case.

7. When the floating crane is kept idle on requisition for a continuous period of more than 30 minutes a charge of Rs. 12-8-0 per hour or part thereof will be made for such period of idling.

8. The normal working hours for the crane shall be during a day from 8 a.m. to 12 noon and from 1 p.m. to 5 p.m. and during night from 6 p.m. to 10 p.m. and from 11 p.m. to 3 a.m. Work beyond these hours if allowed by the Traffic Manager as a special case will be charged for at the usual rates. Any work done during 6 p.m. to 6 a.m. will be treated as night work.

9. Lifts shall be placed in a position clear of all other cargo on the vessel or on shore, as the case may be, so that the job of the crane can be swung vertically above the lifts.

10. The Port official in charge of the crane may refuse to work the crane if, in his opinion, safe and proper precautions are not being taken.

11. Fees for the supply and use of slings shall be charged for separately at the prescribed rates.

## SECTION VI

*Hire Rates for the use of the Port's Dry Dock by vessels not belonging to the Port The rates shall be:—*

(i) for the first day . . . . .	Rs. 950/-
(ii) for every succeeding day or part thereof . . . . .	Rs. 200/-

NOTES.—1. "Day" shall mean the period from 6 A.M. on one day to 6 A.M. on the following day.

2. For docking or undocking on a Sunday or other holiday prescribed in this behalf by the Administrative Officer, Cochin Harbour, an extra charge of Rs. 50 per vessel shall be levied.

3. After 20 days' use of the dock by any vessel the Mechanical Superintendent, Cochin Harbour, may increase the rate of charge.

4. Applications for the use of the dock must state the period for which it is required. Should the period granted be exceeded, the rate of charge may be increased at the discretion of the Mechanical Superintendent, Cochin Harbour.

5. When the dock is used by two or more vessels at the same time, the hire charges will be distributed among all the vessels using the dock in the proportion to be decided by the Mechanical Superintendent, whose decision in the matter shall be final.

*Conditions of Hire*

1. (i) Ordinarily the hours between which vessels may enter the dock for dry docking shall be from 7.30 a.m. to 12 noon. These times permit of the pumping out of the dock, setting of the vessels on the keel blocks and shoring up within daylight hours.

(ii) The hours between which vessels may leave the dock after floated shall be from 11 a.m. to 4.30 p.m. which permits of the filling of the dock and refloating of the vessels within day-light hours.

(iii) In special cases, however, docking or undocking out of these hours will be permitted by arrangement provided that an additional charge of Rs. 50 per vessel is paid to meet the cost of overtime for the staff, and provided further that suitable lighting and other arrangements for the purpose are made by the hirers at their expense.

2. The period of a vessel's occupation of the dock shall count from the time the dock gates are closed after the vessel has entered. The period of occupation ends when the vessel has cleared the dock entrance when leaving.

3. The rates prescribed include the charges for all shore labour and materials necessary for arranging the keel blocks before occupation, for pumping out and flooding the dock, closing and opening the gates and for the use of such blocks, shores and staging as are available. The vessel shall provide at its own expense all materials such as ropes etc. and labour for shifting blocks or shores or for other purposes. Blocks, shores and staging which are cut or destroyed shall be charged for according to the damage done.

4. Applications for the use of the dock shall be made to the Mechanical Superintendent, Cochin Harbour, in the form hereunto annexed. The applicant will be notified by the Mechanical Superintendent if the vessel can be accepted and if so, on what date and for what period.

5. After a vessel has been accepted and before it can be placed in the dock, the charges payable should be deposited with the Chief Accountant, Cochin Harbour.

6. The deposit made in respect of any vessel under condition 5 shall be liable to be forfeited, in whole or in part at the discretion of the Mechanical Superintendent in the event of the vessel not being ready to be docked or not using the dock, on the day notified under condition 4 for the admission of the vessel into the dock. In the event of a vessel being refused admission into the dock by reason of its failure to comply with any of the provisions of condition 7 all the expenses incurred by the Port in respect of the docking of such vessel shall be borne by the vessel.

7. Prior to the time regulated for the admission of any vessel into the dock the following arrangements must be carried out by the hirer on board the vessel in consultation with the Mechanical Superintendent:—

- (a) Suitable hawsers and heaving lines should be in readiness on each side, fore and aft, and a gentile rove for masthead pendants.

- (b) The vessel should be upright and as nearly as possible on an even keel and the bilges shall be perfectly dry, fore and aft, and kept so. All side and stern ports shall be shut.
- (c) The ballast tanks should either be pressed full with their doors properly secured or pumped quite dry with their doors off ready for inspection if so required by the Mechanical Superintendent.
- (d) All the vessel's water closets and latrines should be thoroughly cleaned and securely fastened up before the vessel enters the dock and no use whatever should be made of them whilst the vessel is in the dock. If the water closets and latrines are used while the vessel is in dock a charge of Rs. 50 shall be payable for damages caused to the dock thereby.
- (e) If so required by the Mechanical Superintendent, the awnings should be furled.
- (f) If so required under the provisions of any regulations relating to plague or other infectious or contagious diseases, the vessel should be fumigated by the parties before being docked.
- (g) No vessel carrying petroleum in bulk as cargo on board shall be allowed to enter the Dry Dock until the Master produces a certificate granted by a competent officer appointed by the Government in this behalf under the provisions of the Petroleum Rules 1937, to the effect that such officer has examined the tanks with the aid of a vapour testing instrument and that the vessel is free from dangerous vapour and is in a fit state to enter the Dry Dock.
- (h) Vessels other than a vessel carrying petroleum in bulk as cargo on board requiring repairs to their fuel tanks or on any fitting attached thereto, shall not be allowed to enter the Dry Dock unless an officer, duly authorised in this behalf under the provisions of the Petroleum Rules 1937, is satisfied that the tanks have been made gas-free and certifies to that effect in writing.
- (i) The vessel's crew shall render every assistance when docking and undocking, and if, in the opinion of Officer-in-Charge of the dock, extra hands are required on board, they should be provided at the expense of the hirers.
- (j) If, on inspection, the Mechanical Superintendent finds that any of the above arrangements has not been duly carried out, the vessel may be refused admission into the dock.

8. If before the expiry of the period for which use of the dock was granted, the Mechanical Superintendent is satisfied on written application made to him in that behalf that, owing to circumstances unforeseen or beyond control, work which can be done only in the dock cannot be completed within the said period, he may allow such extension of time as may be necessary and reasonable.

9. If any vessel does not leave the dock at the expiry of the period for which use of the dock was granted under condition 4 or extended under condition 8, whether the repairs or other works on such vessel have or have not been completed, the Mechanical Superintendent may, upon giving twenty-four hours' notice to the hirers, flood the dock and let out or cause to be removed the said vessel or admit any other vessel thereto, and any loss or damage sustained by any vessel by reason of such action shall be exclusively borne by the hirers in addition to all the expenses incurred by the Port in so removing the vessel including the cost of making the vessel water-tight.

10. No person shall boil or heat pitch, tar or other combustible matter or light fire near the dock except at the places which may be provided for the purpose.

11. The cost of deodorizing and pumping bilge water and water admitted to dilute bilge water, out of the dock and of all labour employed in removing from the dock, debris, garbage and scrappings from the ship's bottom shall be borne by the hirers.

12. The Port Authority accepts no responsibility whatever for any detention occasioned to vessels making use of the dock.

13. The hirers shall be responsible for any injury, caused by the works or their workmen to any person, animal or thing and shall indemnify and hold the Port Authority harmless in respect thereof and also in respect of any claim.

which may be made by any person in the employ of the hirers for damage or injury. The hirers shall also make good the cost of any damage, repairs or loss to the dock, its appurtenances, plant, gear, tackle, etc. by the vessel, the works or workmen, arising directly or indirectly in the course of the hire.

### APPLICATION FOR THE USE OF THE PORT'S DRY DOCK

(In Triplicate)

1. Name and address of the applicant .....
2. Name and description of the vessel .....
3. Period for which the use of the dock is required From.....  
To .....

I/We have read the conditions and the prescribed scale of rates for the dock and agree to be bound by all the provisions thereof.

Before the vessel is undocked I/We shall satisfy myself/ourselves that all sea docks, bilge, holes and other apertures, in the vessel's bottom are securely closed.

Dated: ..... Sd. ....

*Endorsement by the Mechanical Superintendent.*

Period for which the use of the dock is granted From.....  
To.....

*N. B.*—The dates allowed for the use of the dock do not bind the undersigned in any way. All that is implied is that he will do his best to give the use of the dock on the dates named or as soon afterwards as practicable, consistent with other engagements.

Dated: ..... Sd. ....

(*Mechanical Superintendent*)

Signature of the applicant in token  
of acceptance of the  
above, with date .....

### SECTION VII

#### *Overtime fees payable by vessels working at the Willingdon Island wharves*

Item No.	Period and description of work	Charges leviable.
(i)	Work during recess hours by day including Sundays and holidays.	} Rs. 5 per Staging porthole or hook (crane derrick).
(ii)	Night work including work done during recess hours by night per hour or part thereof.	
(iii)	Work on Sundays and holidays.	
	(a) For half working day (8 a.m. to 12 noon or 1 p.m. to 5 p.m.) or part thereof or for half working night (6 p.m. to 10 p.m. or from 11 p.m. to 3 a.m.) or part thereof.	Rs. 50 per vessel
	(b) For over half working day or half working night on any one day including recess hours.	Rs. 100 per vessel.

*N.B.*—The charges mentioned in item (iii) will be in addition to the charges specified in items (i) and (ii) above.

*NOTE.*—1. (a) Applications in the prescribed form for work at night on working days must reach the Wharf Superintendent in writing not later than 2 p.m. same day.

(b) Applications for work on Sundays and holidays including work at night on these days must reach the Wharf Superintendent not later than 3 p.m. the previous working day.

(c) Working during recess hours will be allowed only in very exceptional circumstances and at the sole discretion of the Traffic Manager.

2. Any work done between 6 p.m. and 6 a.m. shall be treated as night work and charges shall be levied, irrespective of the hour at which night work commences, as if it commenced from 6 p.m.



3. The minimum period for which overtime work shall be applied for and charged shall be four hours per hook in the case of night work on all days including Sundays and holidays and half day or half night per vessel for work on Sundays and holidays.

4. (a) Advices in writing cancelling the night work applied for either wholly or in part must reach the Wharf Superintendent by 4-30 p.m. the same day in the case of working days, and by 4-30 p.m. the previous working day in the case of night work on Sundays and holidays. Otherwise overtime fees for the full night work applied for shall be levied.

(b) Advices in writing cancelling the work during day on Sundays and holidays applied for must reach the Wharf Superintendent by 4-30 p.m. the previous working day. Otherwise overtime fees for the full day shall be charged, provided that only half a day's fees shall be levied if an advice in writing cancelling the application is received by the Wharf Superintendent before 12 noon on the day for which the work was required.

(c) In cases where the Port's convenience is involved, the levy of overtime fees as stipulated in (a) and (b) of Note 4 above and shall not be made provided a certificate to that effect is issued by the Traffic Manager in each case.

5. For the purpose of these rules, "day" means the period from 6 a.m. on one day to 6 a.m. on the next day, "holiday" means any day declared to be a holiday on this behalf by the Administrative Officer, Cochin Harbour, and "recess hours" mean the hours between 3 a.m. and 8 a.m. and 12 noon and 1 p.m. and 5 p.m. and 6 p.m. and 10 p.m. and 11 p.m.

6. When the working of a vessel is interrupted or delayed for Port's convenience, fees shall be levied only for the hours actually worked, fractions of an hour in the total being calculated as one hour, subject, however, to the minimum payable under Note 3 above.

#### SECTION VIII

#### OVERTIME FEES FOR EMPLOYEES OF THE PORT

Fees for the services of the employees of the Port of Cochin, performed out of office hours or during holidays (hereinafter referred to as overtime work) shall be charged at the rate given below:—

Grade of employees	Fees chargeable for work performed on		
	Working days and holidays prescribed by the Conservator of the Port from 6 p.m. to 6 a.m. on the next day.	On holidays prescribed by the Conservator of the Port from 6 a.m. to 9 a.m. and from 11 a.m. to 6 p.m.	On Sundays & closed holidays from 6 a.m. to 6 p.m. from 6 p.m. to midnight, & from midnight to 6 a.m. on the next day
Employees drawing a pay of Rs. 120 or more per mensem but not exceeding Rs. 200 per mensem.	Rs. 2-4-0 per hour subject to a minimum of Rs. 11-4-0 if work finishes before midnight and Rs. 13-8-0 if work finishes after midnight.	Rs. 1-8-0 per hour or part thereof.	Rs. 3/- per hour or part thereof subject to a minimum of Rs. 15.
Employee drawing a pay of Rs. 55 or more per mensem but less than Rs. 120 per mensem.	Rs. 1-2-0 per hour subject to a minimum of Rs. 5-10-0 if work finishes before mid night, and of Rs. 6-12-0 if work finishes after midnight.	Annas 12 per hour or part thereof.	Rs. 1-8-0 per hour or part thereof, subject to a minimum of Rs. 7-8-0.
Employee drawing a pay below Rs. 55 per mensem	Annas 3 per hour subject to a minimum of Rs. 1-8-0.	Annas 3 per hour or part thereof.	Annas 6 per hour or part thereof subject to a minimum of Rs. 1-8-0.

1. Closed holidays shall mean for purpose of these rules any holiday declared as such by Government.

2. The rates of fees chargeable shall be determined with reference to the actual pay drawn by the employee concerned.

3. Requisition for overtime work including work between the hours 9 a.m. and 11 a.m. on holidays shall be submitted to the departments concerned before 4 p.m. on the previous working day. If the requisitions do not reach in time, overtime work may be arranged only if practicable.

4. Requisition for overtime work shall be accompanied by the full amount of fees chargeable for such work except in the case of work between 9 a.m. and 11 a.m. on holidays prescribed by the Conservator which will be rendered free but the Conservator of the Port may, after obtaining guarantee for the payment of such amount, allow such payment to be made within a week of the date on which the overtime work was done.

5. When more than one vessel or merchant applies for overtime work the fees payable for such work shall be distributed equally among them.

6. The fees chargeable for overtime work shall always be paid by the vessel or merchant applying for such work, whether the services requisitioned are availed of or not.

## SECTION IX

### Miscellaneous Charges

#### (1) Fees for the supply of fresh water to vessels

Rs. 2 per ton subject to a minimum of—

(a) Rs. 13-6-0 per vessel in respect of country craft and vessels registered under the Cochin Harbour Craft Rules, 1951, provided that the vessel does not take water alongside the Port's water barges, and

(b) Rs. 40 in all other cases.

#### (2) Fees for salvage of Import and Export cargo within the port

(a) Where there is no risk of life . . . 10 per cent *ad valorem* plus the authorised hire charges for any special plant used.

(b) Where there is risk of life . . . 20 per cent *ad valorem* plus the authorised hire charges for any special plant used.

### NOTES:

1. In the case of goods liable to damage by water, the fees for salvage shall be recovered on the sale value or customs valuation as the case may be.

2. The decision of the Administrative Officer, Cochin Harbour, on whether risk of life was incurred in salvaging the goods or whether the goods were of the category mentioned in Note 1 above shall be final and binding on the parties concerned.

3. The usual landing and shipping fees shall also be leviable on salvaged cargo.

#### (3) Charges for the hire of Electric Lights at the Wharf

The rates shall be as follows :—

(1) Cluster lights with a total maximum of 360 watts supplied for use by ships. Rs. 9 per cluster per night or part thereof.

(2) Electric hand lamps supplied for use in wagons Rs. 2 per hand lamp of 100 watts per night or part thereof.

### NOTES:

Requisitions for supply of electric lights and lamps should be sent to the Wharf Superintendent.

#### (4) Fees for the hire of weighing scales and for the issue of certificates of weights for Wharf Cargo

	Rs.	a.	p.	
(i) For hire of weighing scales . . . . .	2	4	0	per day per scale.
(ii) For issue of certificates of total tonnage of goods.	1	0	0	per hour or part thereof or weightment or measurement of the consignment (i.e., goods covered by one application) subject to a minimum of Rs. 4 for each certificate.

## Notes:

1. The attendant labour shall be supplied by the parties concerned in all cases.

2. Charges shall be levied in accordance with the above scale when it is necessary for the Port to weigh or measure goods e.g. for the purpose of assessing the amount of the landing and shipping fees payable in respect of the goods.

3. "Day" means the period from 6 a.m. on one day to 6 a.m. on the next day.

4. No refund of hire charges shall be allowed in case a notice of cancellation of requisition is not sent to the Traffic Manager in writing so as to reach him at least 2 hours prior to the commencement of the period of hire.

## (5) Fees for measuring and surveying vessels

Tonnage of Vessels to be measured and surveyed.	Fees leviable.
	Rs.
Under 50 tons . . . . .	7
50 tons or more but under 100 tons . . . . .	11
100 tons or more but under 150 tons . . . . .	15
150 tons or more but under 200 tons . . . . .	19
200 tons or more but under 250 tons . . . . .	23
250 tons or more but under 300 tons . . . . .	27
300 tons and upwards . . . . .	30

## (6) Fees for the transmission of Master's Service Messages by the Wireless Station on Willingdon Island

(1) A fee of seven annas per word shall be levied for the transmission of Master's Service Messages by the Wireless Station on Willingdon Island in the Port of Cochin; and

(2) A fee of four annas per word shall be levied for the reception of such messages by the said Station.

[No. 6-P-II(28)/55.]

A. V. SUBRAMANIA IYER, Under Secy.

## PORTS

New Delhi, the 1st October 1955

**S.R.O. 2136.**—In exercise of the powers conferred by sections 5 and 6 of the Bombay Landing and Wharriage Fees Act, 1882 (Bombay Act, No. VIII of 1882) as applied to the Port of Kandla in the Ministry of Transport notification No. 14-P(89)/49-I, dated the 29th June 1950 and in supersession of the Government Commissioner, Kandla or by an officer authorised by him for the purpose 25th July 1950 and all subsequent notifications issued from time to time by the Government under sections 5 and 6 of the said Act, except notifications No. 14-P(35)/50, dated the 23rd January 1951, No. 4-P-II(3)/51, dated the 6th June 1951 and No. 4-P-II(1)/53, dated the 29th September 1953, the Central Government hereby directs that with effect from the 2nd October 1955 fees on

goods landed, shipped or stored at the said port shall be levied by the Development Commissioner, Kandla or by an officer authorised by him for the purpose at the rates specified below:—

## CHAPTER I

## SCALE 'A'

## Wharfage.

Serial No.	Particulars of goods	Unit	Rate
			Rs.
	(N.O.R. means not otherwise rated)		
1	Ammunition, Arms, Parts and Accessories	20 Cwt.	6 0 0
2	Animals domestic	each	2 0 0
3	Animals wild	each	6 0 0
4	Apparatus, Electric, Medical, X-Ray, Photographic, Scientific, Surgical, Wireless, telegraphic and telephonic	50 Cft.	5 0 0
5	Bags, leather	20 Cwt.	4 0 0
6	Ballast of all kinds weighing over 500 tons	20 Cwt.	0 6 0
7	Belting for machinery	20 Cwt.	5 0 0
8	Bengal lights and matches	50 Cft.	4 0 0
9	Bicycles, accessories and parts	50 Cft.	4 0 0
10	Bicycles (motor) (packed or unpacked)	each	5 0 0
11	Bidi leaves	50 Cft.	2 8 0
12	Bones, Crushed, uncrushed, meal, dust and Sinews	20 Cwt.	3 8 0
13	Bullion and specie, gold	each	4 8 0
14	Bullion and specie, silver	each	3 0 0
15	Cabinet and Cabinetware (Metal)	50 Cft.	3 8 0
16	Carpets, all sorts	20 Cwt.	3 8 0
17	Cement	20 Cwt.	3 0 0
18	Chemicals, drugs and medicines, N.O.R.	50 Cft.	4 8 0
19	Chinaware, N.O.R.	50 Cft.	4 0 0
20	Cigars and Cigarettes	50 Cft.	4 8 0
21	Clay, all sorts (packed in bags)	20 Cwt.	2 8 0
22	Clocks, Watches, Timepieces and Accessories	50 Cft.	5 8 0
23	Coal in bulk	20 Cwt.	1 8 0
24	Cocoanuts	20 Cwt.	3 8 0
25	Coir-ropes, matings and other coir products	20 Cwt.	3 8 0
26	Copra	20 Cwt.	4 0 0
27	Cotton, Raw, Foreign	50 Cft.	3 8 0
28	Cotton, Raw, Indian	50 Cft.	3 0 0
29	Cotton seeds	20 Cwt.	2 4 0
30	Cotton, Waste, Fly and twist	50 Cft.	1 8 0
31	Crockery, domestic	50 Cft.	4 0 0
32	Gutlery	50 Cft.	5 0 0
33	Dates	20 Cwt.	3 8 0
34	Earthenware (other than drainage pipes), N.O.R.	50 Cft.	2 8 0
35	Fertilisers including Sulphate of Ammonia, N.O.R.	20 Cwt.	3 8 0
36	Firebricks and Bricks for building purposes	20 Cwt.	3 0 0
37	Firewood	20 Cwt.	2 8 0
38	Fireworks	50 Cft.	6 0 0
39	Fish including dry	20 Cwt.	5 0 0
40	Foodgrains and Pulses	20 Cwt.	3 8 0
41	Furniture, N.O.R.	50 Cft.	3 8 0
42	Ghee	20 Cwt.	3 8 0
43	Glassware, N.O.R.	50 Cft.	3 0 0
44	Groceries and Oilman stores, N.O.R.	50 Cft.	4 0 0
45	Gypsum in bulk	20 Cwt.	1 0 0
46	Gypsum in bags	20 Cwt.	2 8 0
47	Hardware	20 Cwt.	4 0 0
48	Hay and Fodder	50 Cft.	2 0 0
49	Heavy lifts:—		
	(i) Exceeding 1 ton but not exceeding 3 tons	20 Cwt.	5 8 0
	(ii) Exceeding 3 tons but not exceeding 5 tons	20 Cwt.	6 8 0
	(iii) Exceeding 5 tons but not exceeding 10 tons	20 Cwt.	7 8 0
	(iv) Exceeding 10 tons	20 Cwt.	10 0 0

Serial No.	Particulars	Unit	Rate
			Rs.
50	Instruments, all kinds, N.O.R.	50 Cft.	4 0 0
51	Iron and steel	20 Cwt.	4 0 0
52	<i>Iron and steel scrap</i>	20 Cwt.	2 0 0
53	Lamps, lanterns, globes and parts	50 Cft.	3 8 0
54	Lime not in bulk	20 Cwt.	2 8 0
55	Machinery, all sorts, accessories and parts	20 Cwt.	4 8 0
56	Metals, all sorts, manufactured N.O.R.	20 Cwt.	4 0 0
57	Metals, Ingots	20 Cwt.	4 8 0
58	Methylated spirit in bottles packed in cases and drums	Gallon	0 0 2
59	Motor cars and trucks (packed or unpacked)	each	20 0 0
60	Oilcakes	20 Cwt.	2 8 0
61	Oils, vegetable and hydrogenated	20 Cwt.	4 0 0
62	<i>Ores in bulk, Iron, Copper, Manganese</i>	20 Cwt.	1 0 0
63	Paper and Stationery all sorts, pasteboard and strawboard, N.O.R.	50 Cft.	4 0 0
64	Piecegoods, all sorts, cuttings of fents	50 Cft.	4 0 0
65	Platedware, electro	20 Cwt.	4 8 0
66	Plywood	50 Cft.	3 0 0
67	Porcelainware, N.O.R.	50 Cft.	4 0 0
68	Pottery, Country	50 Cft.	2 0 0
69	Precious stones (unset)	each	3 0 0
70	Rubber tubes or tyres for conveyances	20 Cwt.	4 0 0
71	<i>Salt in bulk</i>	20 Cwt.	0 12 0
72	Salt in bags	20 Cwt.	1 12 0
73	Seeds, Oil	20 Cwt.	2 12 0
74	Soap, toilet and medicated	50 Cft.	3 8 0
75	Stones, all sorts N.O.R. and not in bulk	20 Cwt.	2 8 0
76	Stoneware (other than drainage pipes) N.O.R.	20 Cwt.	4 0 0
77	Talc-Soapstone (Talc Powder) not in bulk	20 Cwt.	3 0 0
78	Tea	50 Cft.	3 8 0
79	Tiles, flooring	20 Cwt.	4 0 0
80	Tiles, roofing	20 Cwt.	3 8 0
81	Timber in logs, squares and sleepers	50 Cft.	2 8 0
82	Timber planks and scantlings	50 Cft.	3 0 0
83	Tobacco	20 Cwt.	4 8 0
84	Toys	50 Cft.	3 8 0
85	Vegetables, fresh including Onions and garlic	20 Cwt.	4 0 0
86	Waste paper and old newspaper	50 Cft.	3 0 0
87	Wool, Raw, pressed and unpressed	50 Cft.	2 0 0
88	Wool, waste	50 Cft.	1 8 0
89	Unenumerated goods N.O.R.—		
	(a) Goods in cases, Cartons	50 Cft. or 20 Cwt.	} 4 0 0
	(b) Goods in bales, crates	"	
	(c) Goods in drums, barrels, casks, kegs	20 Cwt.	4 0 0
	(d) Goods in bags	20 Cwt.	4 0 0
	(e) Unpacked goods	20 Cwt. or 50 Cft.	} 4 0 0
	(f) <i>All bulk cargoes, N.O.R.</i>	20 Cwt.	

## NOTE.

(1) The Port Administration handles and takes charge of all non-underlined (non-italicised) items, landed from or shipped to steamers working either in steams or alongside berths. In the case of such cargo landed or shipped in streams, the Port Administration will provide the necessary lighters and tugs for the transport without levying any extra charges.

(2) The importers and Exporters will have to make their own arrangements for landing or shipping underlined (italicised) items. In this case if the cargo is landed or shipped in streams, lighterage and towage charges as prescribed from time to time will be levied in addition to the wharfrage quoted above. The port does not assume custody of these cargoes.

(3) In the case of non-underlined (non-italicised) items, the wharfrage rate quoted covers, crantage, if incurred once at the time of landing or shipment of lifts weighing upto 1 ton each, and a free storage for 7 days from the date of complete discharge of the vessel in the case of imports and 7 days before the date of arrival of the steamer in the case of exports.

(4) All transhipment and reshipment cargoes will be dealt with as ordinary import and export cargoes and subject to the levy of wharfrage twice.

(5) If the Port Administration is required to handle underlined (italicised) items on which wharfrage has been quoted per each handling charges at 33-1/3% of the wharfrage mentioned in Scale 'A' will be levied extra. In other cases, the handling charges will be at Re. 1/- per ton. The responsibility of the Port Administration in such cases will be that of a labour contractor only and nothing more. The owners shall pay for lighters and tugs extra as fixed from time to time. Crantage charges if incurred shall also be paid as per the Schedule in force.

(6) Goods from and to sailing vessels are not handled and taken charge of by the Port Administration. Such goods, lying at the risk and responsibility of owners will be charged wharfrage at  $\frac{1}{4}$  of the rate shown in the Scale 'A' above but would enjoy the same number of free days as for cargo from and to steamers.

(7) The Traffic Manager may, in special cases, permit handling of non-underlined (non-italicised) items by the Importers for clearance on overside Delivery Orders issued by Masters, Owners, or Agents of vessels and of exports by Shippers. In such cases, a rebate to be fixed by the Port Authority from time to time shall be allowed. If such work is permitted to be done in steams, lighters and tugs shall, however, be supplied without extra charges. The cargo in transit in such cases will be at the risk and responsibility of the owners and the port will not assume custody of cargo.

(8) Cargo handled by the Port at the old port, at the discretion of the Traffic Manager, shall pay 33-1/3% of the wharfrage extra.

#### *Method of calculating Wharfrage Charges*

(1) For the purpose of the scale of rates one ton by weight means 20 Cwts; one ton by measurement means 50 Cft. and one unit by liquid measure means 54 gallons.

(2) In the case of coal, ores, oils in bulk, charges shall be levied on the manifested tonnage of the vessel's cargo without insisting on any other shipping documents or Invoices. In other cases the shipping documents such as Bill of Lading and/or Invoices should be produced and the unit prescribed in Scale 'A' shall be adopted to arrive at the correct weight of consignments.

(3) The wharfrage charge shall be assessed on the total tonnage of each item of goods. For this purpose, the gross and not the net tonnage as specified in the relative invoices, or other shipping documents shall be taken, subject to a test check by the port authorities. In the absence of documents, the tonnage as arrived at by actual test check shall be deemed as gross tonnage and adopted.

(4) In calculating the gross weight of any individual item fractions are reckoned as under:—

Load upto and including 5 Cwts. or $12\frac{1}{2}$ C. ft.	1/4 ton.
Load over 5 Cwts. or $12\frac{1}{2}$ C.ft. and upto and including 10 Cwts. or 25 Cft.	$\frac{1}{2}$ ton.
Load over 10 Cwts. or 25 C.ft. upto and including 15 Cwts. or $37\frac{1}{2}$ Cft.	$\frac{3}{4}$ ton.
Load over 15 Cwts. or $37\frac{1}{2}$ C.ft.	1 ton.

For liquids the dividing points are 14, 27 and 40 gallons respectively.

(5) Fraction of an anna, less than  $\frac{1}{2}$  anna against any one item will be dropped and fractions of half anna or over will be reckoned as one anna.

(6) Where alternative units are quoted, the unit which is favourable to the Port Administration shall be taken.

(7) Assessment on packages containing articles of miscellaneous characters will be made at the rate applicable to the article on which highest rate is chargeable.

(8) Wharfrage charges shall be levied on a minimum of  $\frac{1}{4}$  ton for each item of goods.

**SCALE 'B'.  
(Specified Cases)**

Wharfage charges shall be levied in the following specified cases also:—

Item	Classification	Dues payable
1	On goods abandoned	Wharfage as per Scale. 'A'
2	On the manifested description of packages whether they are landed empty or partly empty.	Do.
3	On sweepings collected on board the vessels from consignments partly landed at the port.	Do.
4	On export cargo if brought in and stored in rented plots if taken out of the port without having been shipped.	Do.
5	Through booked parcels carried by Ferry Service operating between Navlakhi and Kandla.	Rs. 0—5—0 per Bengali Maund

**SCALE 'C'  
Goods from Vessels in Distress**

Item	Classification	Dues payable.
1	Cargo of other ports landed from vessels in distress	Wharfage only on landing. Handling charges @ Re. 1/- per ton shall be levied at the time of re-shipment.
2	Cargo that has already paid export wharfage at Kandla but has not been carried to destination.	No wharfage. Handling charges @ Re. 1/- per ton for each operation shall be payable.

*Goods free of wharfage*

1. Coal or oil which has paid wharfage on landing if reshipped as bankers.
2. Goods other than those intended for the Kandla Project, consigned to or by the Port.
3. Fodder accompanying live stock and not manifested as cargo.
4. Postal articles.
5. Bonafide ship's fittings, ships stores, unmanifested tonnage, and provisions for the use of ships.
6. Ship's sweepings provided that the entire cargo is landed at the port and satisfactory proof is produced to the effect that the sweepings formed part of the consignments for which wharfage charges have been paid.
7. Sweepings collected from the wharf, sheds, etc.
8. Survey rejections.
9. Cargo not manifested for transshipment but merely transferred from one hatch to another of the same vessel or landed and reshipped to the same vessel. Handling charges, if incurred, shall be levied.
10. Ballast for ship's use weighing 500 tons and less.
11. Bonafide passenger's luggage and personal effects accompanying them.

**CHAPTER II**

**Transit Dues**

**SCALE 'A'—IMPORTS**

*Free days for storage in transit sheds and yards*

1. *General cargo.*—Seven days from the date of complete discharge of a vessel's Cargo shall be allowed free. Sundays and holidays declared as such from time to time by the Port Authority shall be omitted while reckoning the free period.

2. *Dangerous Goods*.—Twenty four customs working hours excluding Sundays and holidays are allowed free.

3. *Survey Goods*.—Goods detained for survey shall enjoy free storage for a period of 10 days from the date of complete discharge of the vessel's cargo provided application for survey is received within the ordinary free period of 7 days.

4. *Salved Goods*.—The free period viz. seven days will count from the day of the notification of salvage by the Receiver of wrecks in the Gazette.

5. *Excess and overlanded cargo*.—Excess and overlanded cargo will be allowed free storage upto a period of 21 days from the date of issue of the Out-Turn Statement for the vessels.

6. *Unclaimed Goods*.—Unclaimed goods cleared by the steamer agents for a set off against their lien on freight or under charges shall have the benefit of a free period of two months from the date of complete discharge of the vessel. In all other cases, where the Port Administration sells the goods under the provision of the Bye Law the usual free period of 7 days shall count from the day of auction.

7. If at any time the Port Administration should apprehend serious congestion in its transit sheds to the detriment of rapid transit of goods through the port, it may direct the owners or consignees of any specified goods to remove such goods from the port premises within a given time; and should the goods not be so removed, the port may charge transit dues at Rs. 10/- per ton per day until the goods shall have been removed from the port premises. Even after the imposition of the penalty as above the goods are not removed, the Port Administration may itself remove them from transit sheds to yards at the expense of the owners and shall stack them in any open space at the risk and expense of the owners.

8. The following free periods are allowed in addition to the free periods applicable as per description of goods:—

- (a) Periods during which goods are detained by the Collector of Customs for no fault or negligence on the part of the importers.
- (b) Any period (to be reckoned from the day of the receipt of the enquiry for the packages in the office of the Traffic Manager to the day of its being pointed out by the Port Staff) during which the Port Authorities are unable to trace the packages owing to congestion of goods in the accommodation provided due to wrong sorting, or incorrect tallying.
- (c) Any period during which the goods are detained and destroyed under instructions from the Health Officer duly authorised by the Port Administration.

#### Table of charges for transit dues

Transit dues are chargeable on all goods left in the port's transit sheds and yards beyond the expiry of free days mentioned above as follows:—

*After the transit dues begin to accrue, no allowance is made for Sundays or holidays*

Classification	How charged	For uncleared goods lying in the transit sheds or yards				
		Under cover of tarpaulin or transit shed			In open	
1. (a) Consignment actually landed whose weight or measurement covers 50 tons and over.	Per ton per day	1st week	0	2	0	0
		2nd week	0	4	0	0
		3rd week and succeeding period.	0	6	0	0



Classification	How charged	For uncleared goods lying in the transit sheds or yards			
		Under cover of tarpaulin or transit shed		In open	
(b) Consignment actually landed whose weight or measurement covers 10 tons and over but less than 50 tons.	Per ton per day	1st week . . .	0 4 0	0 2 0	
		2nd week . . .	0 8 0	0 4 0	
		3rd week and succeeding weeks.	0 12 0	0 6 0	
(c) Consignments actually landed whose weight or measurement covers less than 10 tons.	Per ton per day	1st week . . .	0 8 0	0 4 0	
		2nd week . . .	1 0 0	0 8 0	
		3rd week and succeeding weeks.	1 8 0	0 12 0	
NOTE.—All fractions of a ton shall be treated in accordance with the note No. 4 of the "Method of calculating wharfage charges".					
(d) Liquids on which rate of wharfage is quoted per "54" gallons.	Per ton (216 gallons) per day.	1st week . . .	As per item 1 (a) to (c).	As per item 1 (a) to (c).	
		2nd week . . .			
		3rd and succeeding weeks.			
(e) Goods on which wharfage is quoted per each.	Per package or per animal per week or part thereof.	1st week . . .	25 per cent of Wharfage.	12½ per cent of wharfage.	
		2nd week . . .	50 per cent of wharfage.	25 per cent of wharfage.	
		3rd and succeeding weeks.	100 per cent of wharfage.	50 per cent of wharfage.	
2. Dangerous goods viz., matches, glycerine, pitch acids, other than sulphuric, Nitric, Carbolic, muriatic and hydrochloric, nitrate of potash and other alkalis.		Transit dues at double the rates quoted for cargo under cover of a shed or tarpaulin in item 1 above.			

(1) Seven free days excluding Sundays and holidays before the date of the arrival in the port of the vessel in which shipment is effected, with, in addition, the days the vessel remains in the port, shall be allowed. However, in the case of salvaged goods, the free period of seven days will count from the date on which the goods were actually salvaged.

(2) *Goods shut out from shipment.*—(a) No free days shall be allowed on goods brought in and removed without a definite attempt having been made for shipment.

(b) In the case of goods shut out through no fault of the shipper taken out of the premises after departure of the vessel by which they were shut out, the free period shall count upto the date of arrival of the ship in the port and twenty four hours after her departure excluding Sundays and holidays.

(c) For goods shut out by one vessel but subsequently shipped to another vessel the free period shall count in relation to the vessel to which the shipment was effected.

*Charges.*

Classification	How charged	Under cover of tarpaulin or shed	Open
I. (a) General cargo	Per ton per day	1st week . . . 0 1 0 2nd week . . . 0 2 0 3rd week and succeeding period. . . 0 4 0	0 0 6 0 1 0 0 2 0
(b) Goods on which wharfage is quoted "per each".	Per package or animal per week or part thereof.	1st week . . . 25½ per cent of wharfage 2nd week . . . 50 per cent of wharfage. 3rd week and succeeding period. . . 100 per cent of wharfage.	12½ per cent wharfage 25 per cent of wharfage. 50 per cent of wharfage.

In the case of liquids measure a ton is equal to 216 gallons.

**CHAPTER III**

*Rent for open space for storage of goods.*

Rent shall be levied at the following rates for open space let under permission in the port area.

Item	Area	Rate
I	500 sq. ft. or part thereof	Rs. 10 per month or part thereof.

NOTE:—For storage of timber on hard at Toona a fee of Re. 1/- per 100 sq. ft. per month or part thereof with a minimum of Rs. 5/- per month or part thereof will be charged.

*Rent for covered space for storage of goods.*

Rent shall be levied at the following rates for covered space let under permission in the port area.

Item	Area	Rate
I	100 sq. ft. or part thereof	Rs. 10 per month or part thereof.

NOTE:—

(1) The occupation of space in the open or under cover under rental terms shall be subject to the conditions set forth from time to time by the Port Authority.

(2) Application for space should be made to the Traffic Manager, Kandla in writing before depositing the goods.

(3) The goods lying in the rented space shall be at the risk and responsibility of the owners.

(4) Unauthorised occupation of space without a valid permit shall render the goods liable for payment of double the rent as a penalty.

(5) Space allotted cannot be sublet without the permission of the Traffic Manager.

(6) The locking of shed partly or wholly rented to parties shall not be regarded as making the port a bailee of the goods unless a special receipt has been issued for by the port.

(7) The allotment of space shall be at the discretion of the Traffic Manager who can refuse to allot space without assigning any reason.

(8) The space allotted should be vacated on receipt of due notice from the Traffic Manager.

(9) The Traffic Manager shall have the right to resume possession of space which is not occupied or lying empty after giving intimation to the party. In this case proportionate reduction in rent may be allowed at the discretion of the Traffic Manager.

(10) The decision of the Traffic Manager to accept consignments on monthly rentals or on warehousing rates shall be final.

#### CHAPTER IV

##### Warehousing Charges

Warehousing charges on goods in the duty paid warehouses and in the bonded warehouses.

Item	Description	Per or part thereof	Rent per week	
			or part thereof	
1	Castor seeds . . . . .	Ton of 20 Cwt.	0	3 0
2	Copper, yellow metal . . . . .	Bundle or piece . . . . .	0	4 0
3	Cotton seeds . . . . .	Ton of 20 Cwt.	0	3 0
4	Cotton bales . . . . .	Bale . . . . .	0	1 0
5	Cotton yarn . . . . .	Bale . . . . .	0	1 0
6	Cotton twist . . . . .	Bale . . . . .	0	1 0
7	Crushed bones . . . . .	Ton of 20 Cwt.	0	3 0
8	Groundnut kernels . . . . .	Ton of 20 Cwt.	0	3 0
9	Groundnut cakes . . . . .	Ton of 20 Cwt.	0	3 0
10	Machinery . . . . .	Ton of 20 Cwt.	0	4 0
11	Wool of all kinds . . . . .	Cft. . . . .	0	0 3
12	Cases N. O. R. . . . .	Cft. . . . .	0	0 3
13	Bales N. O. R. . . . .	Cft. . . . .	0	0 6
14	Bags N. O. R. . . . .	Ton of 20 Cwt.	0	4 0
15	Crates N. O. R. . . . .	Cft. . . . .	0	0 3
16	Cartons N. O. R. . . . .	Cft. . . . .	0	0 3
17	Casks, drums, barrels. N. O. R. . . . .	Ton of 20 Cwt.	0	4 0

#### NOTE:—

(1) Non-hazardous goods only will be received into the warehouses.

(2) Application for warehousing should be submitted to the Traffic Manager with all particulars and invoices. The Traffic Manager may in his discretion refuse to accept goods for warehousing in the Duty paid or Bonded warehouse without assigning any reason whatsoever.

(3) Import cargo for warehousing shall be accepted only after all the formalities of the port and the customs have been undergone and the dues and the customs duty if any have been paid.

(4) Packages containing property of considerable value will only be accepted for storage by special agreement. They should be adequately sealed to the satisfaction of port officials before acceptance.

(5) Goods for storage in the open shall not be accepted for warehousing. Such goods shall lie in the open on monthly rentals at the risk and responsibility of the owner.

(6) Goods may also be warehoused under "warrant" if desired by the party. In such cases a special requisition should be tendered to the Traffic Manager.

(7) For "warrant" goods warrants will be issued and for 'non-warrant goods' an ordinary receipt shall be granted.

(8) 'Non-warrant goods' will be transferred from any one depositor to another on a written authority from the original depositor, and on payment of all warehouse charges due upto the date of transfer. In such cases a re-warehousing application must be submitted when a fresh receipt will be issued in the name of the transferee.

(9) Warrants will be transferable by endorsement without production of the warrants to the port authority.

(10) Goods covered by a warrant cannot be delivered without production and delivery of the warrant.

(11) In the event of warrants being lost or mislaid, duplicate will be issued on application but an engagement by the owners and a substantial surety to indemnify the port in case of any claim being made on the original documents must accompany the application. The loss of warrants must also be advertised by the party once at least in an English Daily and in two local Gujarati papers.

(12) When once duplicate warrants have been issued, the originals will not be acted upon.

(13) A charge of Re. 1 will be made for every duplicate warrant issued.

(14) In the event of any goods deposited in a warehouse becoming in a rotten, putrid, damaged or leaking condition, the Traffic Manager may require the owner or depositor thereof to forthwith cause the said goods to be removed and if such owner or depositor, as the case may be, shall on being so required, refuse or neglect, for the space of 7 days after notice to remove such goods, than the removal and disposal of such goods may be effected in such manner as the Traffic Manager may think fit, and he may, if he thinks necessary, cause the said goods to be destroyed and the owner or depositor thereof, as the case may be, shall within 48 hours, after demand in writing, pay to the port authority all the costs and expenses attending or occasioned by such removal and destruction and of such cleaning, purifying or disinfecting the place of storage as may be considered desirable and shall be further liable to the penalty prescribed under the Bye-laws of the port.

(15) The port authorities will not be answerable for any damage or loss suffered by merchandise while in the port's warehouses if such damage or loss be the result of natural or unavoidable causes. Responsibility will only be admitted when the damage or loss has been in direct consequence of want of proper care or attention on the part of the port authorities and provided that such damage, loss or deficiency is ascertained, pointed out and acknowledged by the Traffic Manager prior to the removal of goods from warehouse premises.

(16) The port authorities will not be responsible for contents of packages when the outward condition on delivery is the same as when the packages were first received into the warehouse. Qualified receipts will be passed for all packages in a damaged or doubtful condition.

(17) Packages that have been once opened will lie in the warehouse at the risk of the owner.

(18) Working hours of the warehouse will be from 8 A.M. to 12 NOON and 1 P.M. to 5 P.M. except on Sundays and Holidays. If overtime work is permitted as a special case, overtime fees at Rs. 5 per consignment shall be levied extra.

(19) The labour for receiving, sorting, stacking and removing the goods in the warehouse shall be supplied by the owners. If for any reason, the port authority does any or all the services, the necessary charges as may be claimed by the port shall be paid for by the owner.

(20) Goods for clearance from Bond shall be accompanied by a Bond Bill entry duly passed by the customs.

#### CHAPTER V

*The scale of crange charges incurred at the time of landing or shipment shall be as under:—*

- |  |                              |
|--|------------------------------|
| (i) For all lifts falling under non-underlined (non-italicised) items weighing upto 1 ton per package for the first operation of landing or shipment | Free.                        |
| (ii) For lifts of over 1 ton but not exceeding 3 tons  | Rs. 1-8-0 per ton per hoist. |
| (iii) For lifts weighing over 3 tons but not exceeding 6 tons  | Rs. 2-8-0 per ton per hoist. |
| (iv) For lifts weighing over 6 tons  | Rs. 5-0-0 per ton per hoist. |

## NOTE:—

1. If cranes are used for landing or shipment of underlined (italicised) items, crantage @ 0-8-0 per ton per hoist shall be recovered upto packages weighing 1 ton each. For packages weighing over 1 ton, the above schedule shall apply.

2. As the crantage covers once only at the time of landing or shipment, extra crantage shall be leviable if incurred at the time of delivery. Packages weighing less than 1 ton, if delivered by power, shall pay 0-8-0 per ton as crantage.

3. Crantage @ Rs. 10 per package or animal shall be charged in the case of items on which wharfage is quoted "per each" if cranes are used for landing or shipment.

4. A ton will be reckoned as equivalent to 20 cwt. for the purpose of assessing crantage charges.

## CHAPTER VI

*Special Portorage (Handling) and Removal Fees*

The following is the scale of special portorage (handling) and removal fees payable on goods:—

Item	Classification	Charges payable
1	Handling from ships or barges of non-underlined (non-italicised) items to transit sheds or open yards, or wagons placed on the quay and <i>vice versa</i> .	Free—Wharfage covers this service.
2	Handling of underlined (italicised) items from ships or barges to transit sheds, or open yards or wagons placed on the quay and <i>vice versa</i> at the request of the importers or exporters.	Re. 1 per ton.
3	Handling of underlined (italicised) packages on which wharfage has been quoted "per each".	33-1/3 per cent. of the wharfage.
4	Loading and off loading of wagons	Re. 0-12-0 per ton.
5	Removal of import and export cargo from one place to another in the same transit shed.	Re. 0-12-0 per ton.
6	Removal of import and export cargo from one shed to another shed or warehouse.	Rs. 1-4-0 per ton.
7	Removal of import and export cargo from one place to another in the open area.	Re. 1 per ton.
8	Handling of import and export cargo from and to vessels at the R. C. C. Pier at the old port.	Additional levy of 33-1/3 per cent. of wharfage quoted in Scale 'A' Chapter I.

## CHAPTER VII

*1. Fees for licence to vehicles plying for hire entering and using the port maintained roads*

Serial No.	Classification	For each day	Per year
		(a trip of coming and going once)	Licence
		Rs. A. P.	Rs. A. P.
1	Taxis	0 8 0	10 0 0
2	Motor cycles and Rikshaws	0 4 0	5 0 0
3	Buses and Lorries	0 8 0	15 0 0
4	Carts	0 2 0	5 0 0

## II. Overtime fees

A fee of Rs. 5 per consignment shall be levied for clearing the consignment from and bringing the export cargo in the port area out of working hours of the port.

## NOTE:—

The Traffic Manager may in special cases waive the overtime charge if the clearance is permitted in the interest of the port to relieve congestion.

[No. 3-PH(137)/54-I.]

**S.R.O. 2137.**—In exercise of the powers conferred by sub-section (1) of section 33 of the Indian Ports Act 1908 (Act XV of 1908), the Central Government hereby directs that with effect from the 2nd December 1955 the following amendments shall be made in the notification of the Government of India, Ministry of Transport No. 19-P(82)/48/IV, dated the 31st January 1950, namely:—

In the said notification, after the Schedule, the following notes shall be added, namely:—

1. 'Coasting vessel' means any vessel entered as such by the customs under the Sea Customs Act, 1878.
2. All other vessels entered as 'foreign' by the customs under the Sea Customs Act, 1878, shall be treated as 'sea going vessels' for the purpose of recovering port dues at the port of Kandla.
3. If the vessel in the course of her voyage changes her character from a coasting vessel to a foreign vessel or *vice versa*, port dues at Kandla shall be charged at the higher rate i.e. as for sea going vessels.
4. In calculating the frequency of payment, the day of entry shall be taken as the date of payment irrespective of the actual date of recovery of the dues.
5. Half anna or over, in the total amount of port dues payable by a vessel each time, will be reckoned as one anna and fractions below half anna shall be disregarded.

[No. 3-PH(137)/54-II.]

**S.R.O. 2138.**—In exercise of the powers conferred by sub-section (4) of section 33 of the Indian Ports Act, 1908 (XV of 1908) the Central Government hereby directs that with effect from the 2nd December 1955:—

- (a) a vessel entering the port of Kandla and taking in only provisions, water, bunker coal or liquid fuel for her own consumption shall be charged port dues at half the rate with which she would otherwise be chargeable,
- (b) a vessel that has paid half the port dues under clause (a) above and re-enters the port with cargo or passengers or both within 30 days for which payment has been made, shall be charged the difference between the dues already paid and those payable at the full rate.

[No. 3-PH(137)/54-III.]

**S.R.O. 2139.**—In exercise of the powers conferred by sub-section (1) of section 35 of the Indian Ports Act, 1908 (XV of 1908) and in supersession of Government of India, Ministry of Transport Notification No. 19-P(82)/48, dated the 23rd March 1950, the Central Government hereby directs that with effect from the 2nd October 1955, the fees for pilotage shall be levied at the port of Kandla at the following rates:—

## I. Steamers, Tugs, Launches other than belonging to the Ferry Services.

Tonnage	Pilotage fees
	Rs.
100 tons and under—gross	60 each way.
101 tons and 1000 tons—gross	80 each way.
1001 tons to 2000 tons—gross	100 each way.
2001 tons to 3000 tons—gross	125 each way.
3001 tons to 5000 tons—gross	150 each way.
5001 tons to 10,000 tons—gross	200 each way.
Over 10,000 tons—gross	250 each way.

**II. Ferry service.**

(a) A licence fee of Rs. 10 per month per launch shall be levied to examine the master and to issue an exemption certificate in lieu of the compulsory pilotage for ferry launches plying between Kandla and Navlakhi.

**III. Sailing Vessels.**

Classification	Charges
(a) Sailing vessels of less than 100 tons gross.	Pilotage is not compulsory. If required by the Master, a fee of Rs. 20/- per each way will be charged for piloting in and out from and to "6" buoy.
(b) Sailing vessels between 100 and 200 tons gross.	Can be exempted from pilotage if Deputy Conservator certifies to that effect in each case. A fee of Rs. 10/- will be levied for each such exemption certificate. Pilotage charge shall, however, be Rs. 30/- each way.
(c) Sailing vessels of over 200 tons gross.	Rs. 40/- each way.

**IV. Pilotage for shifting etc.**

50 per cent. of the pilotage charges enumerated in I and III above shall be levied each time for shifting vessels from berth to berth or moorings or *vice versa*.

**NOTE:—**

(1) An attendance fee of Rs. 40 shall be charged in each of such cases where Pilot boards a vessel in accordance with the orders issued pursuant to the requisition and is subsequently informed that his services are not required.

(2) When a Pilot goes out to pilot an incoming vessel at the Pilot Station in accordance with the requisition, full pilotage shall be recovered, if the Pilot has to return owing to non-arrival of the steamer.

(3) A detention fee of Rs. 20 per hour or part thereof shall be charged if a Pilot is detained on board the vessel to be piloted for more than half an hour owing to the vessel not being ready for unmooring except for the reasons of stress of weather, desertion of crew or such other reasons beyond the control of the Master.

(4) If tugs are used for berthing, unberthing or shifting the vessel to be piloted, a sum of Rs. 75/- per tug will be levied in addition to the pilotage or shifting charges.

[No. 3-PII(137)/54-IV.]

**S.R.O. 2140.**—In exercise of the powers conferred by sub-section (1) of section 35 of the Indian Ports Act, 1908 (XV of 1908) and in supersession of the Government of India, Ministry of Transport Notification No. 14-P(35)/50, dated the 12th April, 1950, the Central Government hereby directs that with effect from the 2nd October 1955 fees for services rendered to vessels at the port of Kandla shall be levied as specified in the schedule hereto annexed:—

**SCHEDULE****I. (a) Hire for the occupation of quay berths, oil jetty and R.C.C. jetty at the old port for steamers and tugs.**

Item	Classification	Rate
(i)	Vessels of 1500 tons (net) and under.	Rs. 40/- per day or part thereof.
(ii)	Vessels from 1501 tons to 3000 tons (net)	Rs. 60/- per day or part thereof.
(iii)	Vessels from 3001 tons to 5000 tons (net).	Rs. 180/- per day or part thereof.
(iv)	Vessels over 5000 tons net	Rs. 100/- per day or part thereof.

(b) Sailing vessels and launches using quay berths shall pay hire charges at Rs. 20 per day or part thereof.

**II| Ferry launches using jetty berths.**

Ferry launches using ferry berths shall pay Rs. 5 per trip.

**III. Sailing vessels.**

Sailing vessels working at all places other than at quay berths shall pay hire charges as follows:—

Upto 10 tons	Free
11 tons to 50 tons	Rs. 1/- per day or part thereof.
51 tons and above	Rs. 2/- per day or part thereof.

IV. Mooring Fees	Vessels under 1500 tons net	Vessels of 1500 tons net and over
(a) For use of moorings first day or any part thereof.	Rs. 30	Rs. 60
Each subsequent day or any part thereof	10	20

(b) Steamers lying on its own anchors in the stream shall pay hire charges @ Rs. 10 per day or part thereof.

**NOTE:—**

1. A day shall be reckoned as 24 hours from the time mooring in a berth or buoy is completed.

2. No vessel shall be liable to pay both mooring fee and berth hire on a day if there is a shifting from mooring berth to quay berth or *vice versa*. The more advantageous rate to the port shall apply in such cases.

3. In the case of vessels moored in double moorings the hire charges mentioned for the first day shall continue to operate for the succeeding periods.

[No. 3-PH(137)/54-V.]

**S.R.O. 2141.**—In exercise of the powers conferred by sub-section (1) of section 35 of the Indian Ports Act 1908 (XV of 1908), the Central Government hereby directs that with effect from the 2nd October 1955, fee for services rendered to vessels at the port of Kandla shall be levied as specified in the schedule hereto annexed:—

**SCHEDULE***Hire of quay cranes to Master, Owner or Agents of vessels*

Item	Classification	Charge payable
1	Cranes of 3 tons capacity	Rs. 3/- per hour or part thereof per crane subject to a minimum of Rs. 12/- per crane.
2	Cranes of 6 tons capacity	Rs. 5/- per hour or part thereof per crane subject to a minimum of Rs. 15/- per crane.
3	Cranes of 10 tons capacity	Rs. 10/- per hour or part thereof per crane subject to a minimum of Rs. 30/- per crane.

**NOTES:—**

(1) Requisitions for cranes shall be made out in duplicate on the prescribed form signed by the Masters or Agents of the vessel stating from what time and for what duration the cranes are required. The applications should be tendered not later than 4 P.M. on week days and 1 P.M. on Saturdays.

(2) Cranes required for urgent work should be applied for before 3 P.M. on week days and 12 Noon on Saturdays.

(3) One hour notice in writing shall be given for cancellation of crane requisition as otherwise full charges shall be levied, as applied for.

(4) The cranes will normally be made available for work between 8 A.M. and 12 Noon, 1 P.M. and 5 P.M., 6 P.M. and 9 P.M., 10 P.M. and 3 A.M. If the



cranes are required during the recess period, due notice in advance should be given when efforts will be made to supply the cranes as far as possible.

(5) (i) A load greater than their marked lifting capacities shall not be put on the cranes.

(ii) Sling of import goods shall be made up directly under the open hatch way of any vessel unloading at quays and under no circumstances whatever shall cranes be employed for the purpose of breaking out or removing goods from under the coamings.

(iii) The cranes shall be used alone and no other lifting gear shall be used in conjunction with them on any one lift without the permission in writing of the Traffic Manager.

(iv) Ship's Officers must see that the Port's cranes work quite clear of ship's gear and of all obstructions.

(v) Heavy lifts of over 20 cwt. shall be declared by the Master of the vessel who shall be responsible for all accidents arising from misdeclaration.

(vi) Cranes will be supplied only if available on the condition that the port shall not be responsible for any loss, damage or breakdown of any sort which may occur or result from the use of the cranes and that the liability for any such loss, damage or breakdown shall fall on the vessel for which the crane or cranes may be working for the time being.

(vii) No cargo shall be discharged from any vessel at a quay except under the supervision of the Master or the owner of the vessel or his stevedore. Such Master or Owner or Stevedore shall be personally responsible to the port for any loss or damage to life, limb or property arising from the carelessness or improper slinging of goods on board such vessel.

(viii) Masters and owners of vessels lying at a quay and their stevedores will be personally and severally responsible for the proper provision of lights in those parts of the ship where work is being carried on in any way connected directly or indirectly with the use of the port's cranes, quays and other property. In default, they shall be responsible to the port, jointly and severally in respect of any loss or damage to life, limb or property which may result.

(ix) 50 per cent. of the hire charges only shall be charged for the period a crane works at a hatch where owing to the design of the jetty, the ship's derricks cannot work on to the quay.

## II. Charges against masters or agents or importers of vessels or shippers for the use of 60 tons crane.

Item	Classification	Rates
1.	Weights exceeding 10 tons but not exceeding 20 tons.	Rs. 10/- per ton or part thereof.
2.	Weights exceeding 20 tons but not exceeding 30 tons.	Rs. 12/- per ton or part thereof.
3.	Weights exceeding 30 tons but not exceeding 60 tons.	Rs. 15/- per ton or part thereof.

NOTE.—Lifts weighing less than 10 tons each are not ordinarily handled by the 60 ton gantry crane. If handled, the charges as specified in item I above shall be levied.

## III. Fresh water supply to vessels.

Item	Classification	Rate.
1.	Water supplied alongside the jetties	Rs. 1-4-0 per ton of 250 gallons or part thereof.
2.	Water supplied in streams or alongside by "Balwan", water barge.	Rs. 2-8-0 per ton of 250 gallons or part thereof subject to a minimum of Rs. 50/-.
3.	Water supplied to Sailing vessels and fishing boats.	Rs. 0-0-6 per ton of 4 gallons.

## IV. Fees for salvage of cargo.

Fees for salvage of cargo within the port shall be levied as under:—

1. On goods of the value of less than Rs. 20,000/- 10% *ad valorem* plus the authorised hire charges for any special plant used.
2. On goods of the value between Rs. 20,000/- and Rs. 50,000/- 8% *ad valorem* plus the authorised hire charges for any special plant used.
3. On goods of the value over Rs. 50,000/- 5% *ad valorem* plus the authorised hire charges for any special plant used.

## NOTE.—

(1) In the case of goods liable to damage by water, the fees for the salvage shall be recovered on the sale value or customs valuation as the case may be.

(2) The decision of the Deputy Conservator with regard to the term "special plant" shall be final and binding to the parties.

(3) The usual wharfage charges shall be paid in addition to the above at the prescribed rates.

(4) Any other special services rendered in connection with the salvage shall also be paid for by the parties in addition to the usual salvage charges.

## V. Fees for measuring and surveying vessels.

Vessels	Fees leviable.
Under 100 tons	Rs. 10/- per vessel.
100 tons and more but under 300 tons	Rs. 20/- per vessel.
300 tons and more but less than 1000 tons	Rs. 30/- per vessel.
1000 tons and more	Rs. 5/- for every 100 tons of a vessel.

## VI. Diver's charges.

Fees for diving work carried out for vessels by the port submarine diver at the request of the parties.	Rs. 20/- per hour or part thereof subject to a minimum of Rs. 40/-.
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NOTE.—The above charge shall not apply to ordinary salvage of cargo accidentally dropped into the harbour for which a separate scale has been laid down.

## VII. Fees for overtime work.

Overtime fees shall be levied at the port in accordance with the scale below:—

## 1. Steamers.

Item	Description	Charges.
		Rs.
(1)	Sundays and holidays or part thereof (8 A.M. to 12 Noon, 1 P.M. to 5 P.M.)	50
(2)	Night work or part thereof (6 P.M. to 9 P.M., 10 P.M. to 3 A.M.).	30
(3)	Outside working hours of the port i.e., recess hours.	Rs. 10/- per hour or part thereof.

## NOTE:—

(a) Applications for work at night must reach the Traffic Manager in writing not later than 2 P.M. the same day if it is a working day; otherwise not later than 3 P.M. on the previous working day.

(b) Applications for work on Sundays and holidays including work at night must reach the Traffic Manager not later than 3 P.M. the previous working day.

(c) Application for work at night during recess hours must reach the Traffic Manager not later than one hour before recess working being allowed at the discretion of the Traffic Manager.

(d) Any work done between 6 P.M. to 9 P.M. and 10 P.M. to 3 A.M. shall be treated as night work.

(e) Advices in writing cancelling the night work applied for must reach the Traffic Manager or his assistants by 4-30 P.M. the same day in the case of working days and by 4-30 P.M. the previous working day in the case of night work on Sundays and holidays, otherwise overtime fees for the full night work applied for shall be levied.

(f) Advices in writing cancelling the work during day on Sundays and holidays applied for must reach the Traffic Manager by 4-30 P.M. on the previous working day otherwise overtime fee for the full day shall be charged. The Traffic Manager may in his discretion waive this recovery in cases where he is satisfied that no overtime arrangements have been made.

(g) For the purpose of these rules "Holiday" means any day declared to be a holiday in this behalf by the Development Commissioner, Kandla and 'recess hours' means the hours between—

- (i) 03-00 A.M. to 8-00 A.M.
- (ii) 12 NOON to 1 P.M.
- (iii) 09-00 P.M. to 10-00 P.M.
- (iv) 05-00 P.M. to 6-00 P.M.

## 2. *Sailing vessels.*

- |  |                    |
|--|--------------------|
| (1) Sunday or holiday or part thereof. | Rs. 3/- per craft. |
| (2) Night work                         | Rs. 2/- per craft. |
| (3) Recess hours.                      | Free               |

[No. 3-PH(137)/54-VI]

**S.R.O. 2142.**—In exercise of the powers conferred by clauses (j) and (jj) of sub-section (1) of section 6 of the Indian Ports Act, 1908 (XV of 1908) and in supersession of the notification of the Government of India in the Ministry of Transport No. 14-P(35)/50, dated the 19th December 1952 and No. 14-P(35)/50, dated the 21st January 1953, the Central Government hereby directs that, with effect from the 2nd October 1955, the following rules shall be made for the Port of Kandla, the same having been previously published as required by sub-section (2) of the said section, namely:—

## RULES

The charges for the hire of plants, appliances and other property belonging to the Government at the port of Kandla and for services licensed to be rendered at the said port shall be at the rates specified in the schedule hereto annexed:

### THE SCHEDULE

*Rates of hire charges for the use of plants and appliances and other property belonging to the Government at the port of Kandla.*

#### *I. Fees for the supply of weighing scales and use of weighbridges.*

Fees for the supply of weighing scales and use of weigh bridges shall be as under:—

- |   |  |
|---|--|
| (a) Fee for the use of weigh bridges and scales in the transit sheds.                                   | Rs. 0-2-0 per ton or part thereof subject to a minimum of Re. 1/- per consignment.   |
| (b) Fee for the use of lorry weigh bridge for weighing goods other than coal, ores and cargoes in bulk. | Re. 0-4-0 per ton or part thereof subject to a minimum of Rs. 1-8-0 per consignment. |
| (c) Fee for the use of lorry weigh bridge for weighing coal, ores and cargoes in bulk.                  | Re. 0-1-0 per ton or part thereof subject to a minimum of Rs. 5/- per consignment.   |
| (d) Fee for hiring weights only   | Rs. 1-8-0 per set per day or part thereof.   |
| (e) Fee for issuing a certificate of weight   | Rs. 2-0-0 per consignment.   |

#### NOTE:—

- (1) The attendant labour shall be supplied by the parties concerned.
- (2) No weighment charges are leviable if weighment is done in the interest of the port for the purpose of assessing port charges.

*II. Hire of cranes and Fork lifts for purposes outside the ordinary routine of landing shipment and delivery.*

Item	Classification	Rate
1.	Cranes and Fork lifts of 3 tons capacity and under.	Rs. 5/- per hour or part thereof subject to a minimum of Rs. 10/-.
2.	Cranes and Fork lifts of over 3 tons capacity other than the 60 tons crane	Rs. 10/- per hour or part thereof subject to a minimum of Rs. 20/-.
3.	60 tons crane . . . . .	Rs. 50/- per hour or part thereof subject to a minimum of Rs. 100/-.

**NOTE:—**

(a) The cranes will normally be hired only by day. In exceptional cases, when cranes are hired by night, the same rates of hire as these given above will be charged.

(b) Cranes should not be used for lifting cargo except in a vertical position. A load greater than their marked lifting capacities shall not be put on the cranes.

(c) The port shall not be responsible for any accident or for any damage to cargo while cranes are working for hirers.

(d) The first hour charge will be recovered if cranes are cancelled after having been requisitioned. The Traffic Manager may at his discretion waive this charge if notice of cancellation is received before action has been taken on the requisition.

(e) The hire charges will commence from the time the cranes are made available for use.

(f) Requisitions for the 60 tons crane must be made out in counterfoil on the prescribed forms obtainable in the Traffic Manager's Office and must be signed for by the hirer. Such requisitions should be submitted six hours in advance of the time the crane is required.

(g) Normally the 60 ton crane will not be hired at night.

*III. Charges for the use of port appliances and plants.*

Item	Name of the plant or appliance.	Rate
1	Trays and tubes . . . . .	Re. 1/- per day per tray or tub or part thereof
2	Hand barrows . . . . .	Re. 0-8-0 per barrow per day or part thereof
3	Trolleys . . . . .	Rs. 2/- per day or part thereof per trolley.
4	Wire and chain slings of capacity not exceeding 3 tons.	Re. 1/- per sling per day or part thereof.
5	Wire and chain slings of capacity exceeding 3 tons but not exceeding 5 tons.	Rs. 2/- per sling per day or part thereof.
6	Wire and chain slings of capacity exceeding 5 tons but not exceeding 10 tons.	Rs. 3/- per sling per day or part thereof.
7	Wire and chain slings of capacity between 10 and 60 tons.	Rs. 10/- per sling per day or part thereof.
8	Motor slings with spreads . . . . .	Rs. 5/- per sling per day or part thereof.
9	Cam hooks . . . . .	Rs. 2/- per sling per day or part thereof.
10	Tarpaulins . . . . .	Re. 1/- per tarpaulin per day or part thereof.
11	Rope slings . . . . .	Re. 0-8-0 per sling per day or part thereof.
12	Fire Engine and Gear . . . . .	Rs. 343/- for the first six hours and Rs. 300/- for every additional 6 hours or part thereof.
13	Trailer pump . . . . .	Rs. 180/- for the first six hours and Rs. 25/- for every additional hour.
14	Petromax light . . . . .	Rs. 2/- per night or part thereof.
15	Grab . . . . .	Rs. 5/- per day or part thereof.

**NOTE:—**

(1) The appliances shall be hired subject to the condition that the port undertakes no responsibility for any loss or damage to lifts or property which

may be directly or indirectly caused due to failure of the appliances at any stage and that the hirer should replace the appliances at their own cost if they are not returned to the port in the good acceptable condition.

(2) No charge shall be levied if the appliances are used for departmental work.

(3) For hire of plants and appliances required on long term basis, separate rates may be fixed in accordance with the rules on the subject framed from time to time.

#### IV. Charges for the hire of port's floating craft.

Serial No.	Name of Craft	Unit	Hire charges
1	Barges and lighters hired for purposes other than for shipment of salt, ore, or other bulk cargo	Per ton of carrying capacity per day or part thereof.	Rs. 0 10 0
2	Barges and lighters hired for shipment of salt, ore, or other bulk cargo.	Per ton of salt, ore, or other bulk cargo actually shipped.	Rs. 0 8 0
3	Tugs for towing barges and lighters loaded with cargo.	Per ton of cargo actually towed.	Rs. 0 8 0
4	Tugs for other purposes . . . . .	Per hour or part thereof .	Rs. 30 0 0
5	S. T. 'Jambo' . . . . .	Per day of 8 hours or part thereof.	Rs. 480 and Rs. 60/- for every hour extra.
6	M. Y. 'Rangmati' . . . . .	....	Rs. 375/- per day of 6 hours or part thereof.
7	Launches, "Lynda, Lucie, Lotus, Kankavati".	Per hour or part thereof .	Rs 10 0 0
8	Jolly Boat . . . . .	Re. 0-8-0 per hour or part thereof with a minimum of Rs. 3/-.	
9	Pontoons . . . . .	Rs. 20/- for the first six hours and every subsequent hour or part thereof.	Rs. 3/- per
10	B. K. D. Barges . . . . .	Rs. 30/- for the first six hours and per every subsequent hour or part thereof	Rs. 5/-
11	S.D. Rukmavati . . . . .	Per day of six hours or part thereof.	Rs. 744/-
12	Floating Dock . . . . .	(i) For first 24 hours (ii) Thereafter for a period of every six hours or part thereof.	Rs. 850/- Rs. 80/-

#### NOTE:—

(1) No charges are payable for departmental use.

(2) In the case of item 2 above, a free period of 24 hours before the arrival of the steamer and 24 hours after the departure of the vessel will be allowed. Barges and lighters detained beyond the free period shall pay detention charges at the following rates:—

- (a) for the first 3 days 25% of the hire charges per day or part thereof.
- (b) for the next four days 50% of the hire charges per day or part thereof.
- (c) thereafter 100% of the hire charges per day or part thereof.

#### V. Charges for issuing harbour passes and tokens.

Classification	Period	Fees
Charges for issuing harbour permanent passes to trading persons and token to labourers.	Permanent	Rs. 2

## NOTE:—

1. No fee is payable for issue of passes and tokens to employees of the port.
2. Misuse of passes and tokens will involve in cancellation of passes and withdrawal of tokens.
3. Duplicate passes and tokens will be issued on payment of Rs. 2/-.

## VI. Charges for providing fire watch

Classification	Fees.
Charges for providing fire watch . . .	Rs. 5/- for the first hour and Rs. 1/- for every subsequent hour or part thereof.

[No. 3-PII(137)/54-VII.]

T. S. PARASURAMAN, Dy. Secy.

**S.R.O. 2143.**—In exercise of the powers conferred by clause (k) of sub-section (1) of section (6) of the Indian Port Act, 1908 (XV of 1908), the Central Government hereby makes the following rules, the same having been previously published as required by sub-section (2) of the said section, namely:—

## THE KANDLA HARBOUR CRAFT RULES, 1955.

1. *Short title & application.*—(i) These rules may be called the Kandla Harbour Craft Rules, 1955.

(ii) They shall apply to the Port of Kandla.

2. *Savings.*—Nothing in these rules shall apply to any craft coming from any system of inland navigation into the Port of Kandla.

3. *Definitions.*—In these rules, unless the context otherwise requires—(a) “harbour craft” means any flat or cargo, passenger or other boat whether propelled by oars or mechanical power plying for hire or not and whether regularly or only occasionally;

(b) ‘port’ means the port of Kandla, as defined under the provisions of section 4 of the Indian Ports Act, 1908 (XV of 1908);

(c) “registering officer” and “licensing officer” mean the Deputy Conservator of the Port of Kandla.

(d) ‘tindal’ includes any person in charge of a harbour craft;

(e) “licenced harbour craft” means any harbour craft licenced under these rules; and

(f) ‘owner’, when used in relation to a harbour craft includes any part owner, agent or mortgagee in possession thereof.

4. *Harbour craft to be licenced.*—No person shall, whether as owner, tindal, or servant, use any harbour craft to carry goods or passengers to or from any vessel at the port or from place to place, or operate within the port for whatever purpose unless the harbour craft has been duly licenced under these rules. A harbour craft licenced to ply between a vessel and the shore may also ply from place to place within the port without a separate license.

Provided that nothing in this rule shall apply to,—

- (i) boats forming part of the equipment of a ship or steamer, or
- (ii) floating crafts belonging to the said Port,
- (iii) any harbour craft maintained solely for purposes of pleasure;

Provided further that the registering officer may, if he so thinks fit, by order in writing, direct that the provision of the first proviso shall not apply to any boat or craft or shall apply to such boat or craft subject to such conditions and restrictions as may be specified in the order.

5. *Licensing of harbour craft.*—(i) Every application for the licensing of a harbour craft under rule 4 shall be made to the licensing officer in writing and shall furnish the following particulars namely:—

- (a) the owner's name and address in full and if the owner is a minor, the name and address of his guardian also,
- (b) the name and address of the agent, if any, duly authorised by the owner to act on his behalf,
- (c) the name of the tindal whom the owner proposes to place in charge of the harbour craft; and
- (d) the nature of the licence required applied for, that is to say, whether the licence is required for a passenger boat or for a cargo boat or for any other purpose.

(ii) On receipt of an application for licence, under sub-rule (i) the licensing officer shall, on payment of fees prescribed in rule 30 survey and measure the harbour craft, or cause it to be surveyed and measured in the presence of the owner or of any person duly authorised for the purpose by such owner, and grant a licence in Form 'A' on being satisfied that the craft is seaworthy and fit for service at the port, or upon the production of a certificate in writing from the officer who surveyed the craft certifying,

- (a) that such craft is seaworthy, properly equipped and suited for the purpose for which the licence is required;
- (b) the number of passengers that such craft is capable of carrying under all conditions;
- (c) the number of crew required for safe navigation of such craft; and
- (d) that the equipments of such craft is in good order and condition.

(iii) Harbour craft possessing fishing licence issued by the Chief Commissioner for Kutch shall also apply for a licence under the rules before commencing fishing operations. Such crafts shall observe the following special precautions in addition to the other rules prescribed for other craft, namely:—

- (a) the fish shall be brought and landed only at the appointed places,
- (b) wharfage charges at the rate specified in the schedule of rates in force shall, be paid on landing,
- (c) the licensee shall abide by the rules and regulations of the Port in respect of plying the craft and using the landing places,
- (d) the licensee shall observe all formalities required by the Customs Authority and the Government of Kutch for carrying out the operation of fishing and removal of the fish to the town for either consumption locally or for onward railing into the Hinterland,
- (e) the licence shall be cancelled or withdrawn at the discretion of the licensing officer without assigning any reason whatsoever and at any time by giving an intimation in writing to the licensee,
- (f) the licensee shall be liable for any damage, loss etc. if any caused to the Government property in the course of his fishing operation within the Port Limits,
- (g) No fishing shall be permitted in the whole of Kandla Creek and in such parts of the approaches to the Creek as may be laid down from time to time by the licensing officer when necessary for navigational purposes.

(iv) For purposes of the survey and measurement prescribed in sub-rule (ii), the owner shall cause the harbour craft to be brought to such place as the licensing officer may direct.

(v) Subject to the provisions of these rules, all licences, in Form 'A' shall be valid for one year from the date of issue or renewal thereof.

6. *Minor or female owners.*—If the owner of a harbour craft is a minor, the licence may be obtained by the guardian of the minor. If the owner is a woman, who according to the custom of the country does not appear in public, the licence may be obtained on her behalf by her duly authorised agent. In such cases the guardian or the agent shall be deemed to be the owner for the purposes of these rules.

7. *Licence to be produced on demand.*—The owner of every registered harbour craft shall keep the licence in the possession of the tindal who shall produce it whenever called upon to do so by the registering officer or by any person duly authorised by him in that behalf.

A printed copy of these rules and of any written directions issued by the registering officer for carrying the same into effect shall also be furnished by the owner to the tindal who shall, on demand, show it to any consignor or passenger by such harbour craft. The owner shall be responsible for securing that the tindal understands the said rules and direction, shall obtain a declaration from him to that effect and shall produce such declaration, whenever required by the registering officer.

8. *Distinctive numbering of licensed harbour craft.*—(1) The owner of a licensed harbour craft shall paint or cause to be painted upon a black background, in white English figures, not less than six inches in length, on a conspicuous part of the bow of such harbour craft on one side, and on the quarter of the other, the number of the harbour craft as mentioned in the licence.

(2) No person shall paint or cause to be painted or counterfeited upon any harbour craft not duly licensed under rule 5, any such number as aforesaid or any other mark likely to induce the belief that such harbour craft has been so licensed.

9. *Change of ownership of control of licensed harbour craft.*—Where the holder of a licence in Form 'A' transfers the ownership of the harbour craft to another person, the licence shall cease to be valid on the expiry of six days from the date of such transfer; and where such holder mortgages the harbour craft to, or places it under the control of, another person, the licence shall cease to be valid on the expiry of six days from the date of such transfer unless an endorsement on the licence is made by the licensing officer that, notwithstanding the transfer, the licence shall continue to be valid.

10. *Changes in crew or carrying capacity of licensed harbour craft to be reported.*—(1) Whenever the tindal of any licensed harbour craft is changed, or any alteration in such craft is made so as to affect any of the particulars contained in the licence granted in respect of it, such change or alteration shall be forthwith reported, by the owner thereof to the licensing officer.

Provided that, if such change or alteration takes place at a time when the harbour craft is away from the port, it may be reported immediately on the return of the harbour craft to the port.

(2) In case of change of tindal or of any alteration in the harbour craft not affecting its carrying capacity, the harbour craft shall not ply until such report is made, and in case of change of tindal until the new tindal has also been produced before the licensing officer. On such report or on such report and production, as the case may be, the licensing officer shall send the original licence held by the owner and in case of change of tindal, the register kept under rule 11.

(3) In case of any alteration in the harbour craft affecting its carrying capacity, the original licence held by the owner shall be cancelled and a fresh licence issued by the licensing officer after the craft has been remeasured, and the harbour craft shall not ply until such fresh licence has been issued.

11. *Registration of tindals.*—(1) At the time of licensing of any harbour craft under rule 5, the name of its tindal as entered in the licence and other particulars relating to him shall be entered in a book which shall be kept by the licensing officer in Form 'B'.

(2) No person shall be employed or registered as a tindal of a licensed harbour craft if he—

- (a) is not a certified officer qualified to be the master or engineer of such harbour craft in accordance with rule 31,
- (b) is, in the opinion of licensing officer, unaccustomed to use such harbour craft or otherwise inefficient

12. *Annual and special inspection of licensed harbour craft and crew.*—On or before the expiry of the licence the owner of every licensed harbour craft shall produce it together with its licence for inspection by the licensing officer at such place as he may appoint for the purpose. In addition to such inspection, special



or partial inspections may be held by the licensing officer or by any person duly authorised by him, at such times as the licensing officer may consider necessary. At all inspections under this rule, each harbour craft shall have its full complement of crew and equipment.

13. *Repairs of licensed harbour ordered for inspection.*—(1) The owner of every licensed harbour craft shall execute such repairs thereto as the inspecting officer may direct in order to render it efficient, and no owner or other person shall use any such harbour craft or cause or permit it to be used until such repairs have been duly executed thereto and the licensing officer has granted permission for its use. For the purpose of such repairs, the owner shall cause the harbour craft to be hauled up only to such place or places on the foreshore as the licensing officer may from time to time direct.

(2) All major repairs to the boiler, machinery or hull of a licensed harbour craft shall be carried out under the supervision of an Engineer and Ship Surveyor of the Mercantile Marine Department, Government of India, or an officer appointed by the Conservator of the Port. The Master, owner or owners of such craft shall, before the commencement of the repairs, pay to the licensing officer a sum sufficient to cover the fees and other expenses of such Engineer and Ship Surveyor and any other officer appointed by the licensing officer. For the purpose of this sub-rule, the decision of the licensing officer as to whether a particular work should be regarded as a major repair or not shall be final.

(3) The fees referred to in sub-rule (2) shall be calculated on the following scale, namely:—

	Rs.
(i) For every vessel the gross tonnage of which does not exceed 25 tons	60 0 0
(ii) For every vessel the gross tonnage of which exceeds 25 tons but does not exceed 50 tons	75 0 0
(iii) For every vessel the gross tonnage of which exceeds 50 tons but does not exceed 75 tons	90 0 0
(iv) For every vessel the gross tonnage of which exceeds 75 tons but does not exceed 100 tons	105 0 0
(v) For every vessel the gross tonnage of which exceeds 100 tons but does not exceed 300 tons	120 0 0
(vi) For every vessel the gross tonnage of which exceeds 300 tons but does not exceed 600 tons	135 0 0
(vii) For every vessel the gross tonnage of which exceeds 600 tons but does not exceed 900 tons	150 0
(viii) For every vessel the gross tonnage of which exceeds 900 tons but does not exceed 1,200 tons	180 0 0
(ix) For every vessel the gross tonnage of which exceeds, 1,200 tons	180 0 0
plus Rs. 30 for every 300 ton or part thereof in excess of 1,200 tons.	

(4) The expenses referred to in sub-rule (2) shall be determined in accordance with the instructions of the Central Government in this behalf.

14. *Control of working of licensed harbour craft.*—(1) The owner of every licensed harbour craft shall provide it with such full complement of crew and with such equipment as may be determined by the licensing officer and entered in the licence. The tidal of the harbour craft shall not have on board more or less than the number of the crew prescribed in the licence for fair or foul weather according as the harbour craft plies in fair or foul weather, and shall not carry passengers or goods in excess of the number or quantity entered in the licence for the harbour craft.

(2) Every licensed harbour craft plying within the port shall carry such number of life buoys as may be considered reasonable by the licensing officer and of a type approved by him. Every such harbour craft shall carry, in addition, such buoyant apparatus as may be considered necessary by the licensing officer.

All buoys and buoyant apparatus carried in pursuance of this rule shall be stowed to the satisfaction of the licensing officer and so as to be readily accessible to the persons on board.

(3) The licensing officer shall exercise his discretion in fixing the number of crew required in a licensed harbour craft plying within the port and carrying passengers.

(4) Where the owner of a licensed harbour craft does not desire to carry the full complement of passengers, or is not prepared, or considers it impracticable to carry the prescribed life-saving appliances, the licensing officer may endorse the licence to the effect that the number of passengers is limited accordingly.

15. *Harbour craft to render all possible services if required by Port for general safety.*—If at any time, the licensing officer or the Harbour master or an officer of the port detailed by any of the above said two officers, in the event of an emergency, require the services of any harbour craft for the general safety of the port or shipping in the harbour, the master or the tindal shall immediately proceed with his craft to such place as he may be directed by word of mouth or in writing and take whatever action may be possible under the circumstances subject to the safety of his own craft.

16. *Obstructing Port Traffic.*—(1) No tindal or any member of the crew serving in any licensed harbour craft shall, without reasonable excuse, obstruct or hinder the loading, discharging or service of such harbour craft, or of any other licensed harbour craft, or obstruct or hinder any vessel working in the port.

(2) No tindal shall permit any licensed harbour craft in his charge to obstruct the free navigation of the port or the approaches to wharves or jetties.

17. *Observance of the rule of the road at sea.*—All licensed harbour craft, when under way, shall observe the rule of the road at sea.

18. *Refusal to ply without lawful excuse.*—If the owner or the tindal in charge of a licensed harbour craft plying regularly for hire refuses to allow such harbour craft to ply for hire when required to do so, without reasonable excuse, of which the licensing officer shall, subject to the appeal provided in rule 29 be the sole judge, the licence of such harbour craft shall be liable to be cancelled.

19. *Permissible load of licensed harbour craft in fine and foul weather.*—(1) No person shall load a licensed harbour craft with passengers or with animals or other cargo in contravention of the terms of its licence.

(2) No tindal of any licensed harbour craft shall permit any animal to be loaded in it, unless the harbour craft has been provided with sand ballast or straw sufficient to form a flat floor and unless such other requirements as may be imposed by the licensing officer in respect of the harbour craft have been complied with.

(3) Where animals are carried in a licensed harbour craft, no other cargo or passengers shall be carried therein.

(4) Passengers and cargo other than animals may be carried at the same time only in a licensed harbour craft propelled by mechanical or electrical power.

20. *Power of tindal to prevent overloading.*—Whenever the number of passengers or the quantity of cargo in a licensed harbour craft exceeds the number or quantity entered in the licence the tindal shall, before starting from the vessel or from the shore, require any passenger to leave the harbour craft or any consignee, consignee, or shipping or landing agent concerned to remove from the harbour craft the whole or any part of the cargo.

21. *Attention to certain signals required of tindals.*—The owner of every licensed harbour craft shall instruct the tindal of such harbour craft to pay immediate attention to the harbour craft muster flag—a square blue flag, with four horizontal red stripes which will be displayed on the Port Flag staff when the licensing officer desires to carry out an inspection under Rule 12.

22. *Licensed harbour craft not to interfere with moorings or approaching vessels before they anchor.*—No person in charge of or navigating any licensed harbour craft shall attempt to make such harbour craft fast to any mooring or mark buoy, or go alongside of a vessel approaching an anchorage before such vessel has anchored or has moored to a buoy.

23. *Fishing boats not to be allowed near a cargo boat or alongside a vessel.*—(1) No person in charge of or navigating any licensed cargo boat shall allow a fishing or any other boat to approach within ten yards of her when such cargo boat is plying between a vessel and the shore.

(2) No person in charge of or navigating a fishing boat shall allow it to go alongside a vessel while discharging or loading of cargo is in progress.

(3) If any licensed harbour craft is found by the licensing officer to have contravened the provisions of sub-rule (1) or (2), he may—

- (a) cancel the licence issued in respect of the harbour craft;
- (b) direct that the tindal at fault shall not be employed in any capacity in any licensed harbour craft and that his name shall be removed from the Register of Tindals; and if any owner employs any such tindal contrary to the Licensing Officer's directions under clause (b), the licensing officer may cancel all or any of the licences in Form 'A' held by the owner.

24. *Landing and shipping of passengers and goods to be within the Port.*—All passengers and goods shall be landed or shipped in such places within the limits of the port as the licensing officer may appoint and no person shall ship or land passengers or goods outside such place unless the sanction of the Port and Customs Officers at the Port have been previously obtained.

25. *Rates of harbour craft hire.*—No owner, tindal or any member of the crew of a licensed harbour craft licensed to carry passengers or goods for hire, and no person deputed by the owner of such harbour craft, shall demand a rate of hire exceeding that sanctioned by the Central Government; and no owner, tindal or member of the crew of such harbour craft shall demand or accept any gratuity or present from any passenger during the course of its trip between any vessel and the shore or from place to place whether within or without the port.

26. *Prohibition of employment of tindals and crew contravening the rules.*—If, in the opinion of the licensing officer, any tindal or any member of the crew of a licensed harbour craft has contravened any of these rules, the owner of the harbour craft shall on being required so to do by the licensing officer, dismiss or suspend for such period as the licensing officer may specify in that behalf, such tindal or member of the crew from his employment.

Any action taken by the licensing officer under this rule shall be without prejudice to any other action which he may take in respect of the contravention of the rule.

27. (1) The licensing officer may, where he is satisfied that it is so expedient to do, refuse to grant a licence to any harbour craft.

(2) No licence shall be granted to any harbour craft which has failed to comply with any order requiring it to render such service to the Port as the Port may reasonably expect of it.

28. *Revocation of licences.*—If, in the opinion of the licensing officer the owner of any licensed harbour craft has contravened any of these rules, the Licensing Officer may, without prejudice to any other action that may be taken against such owner in respect of the contravention, cancel all or any of the licences in Form 'A' held by the owner.

29. *Appeal from licensing officer's order.*—An appeal shall lie from any order of the licensing officer passed under these rules, to the Conservator of the Port. Such appeal shall be preferred in writing within seven days after the order of the licensing officer has been communicated in writing to the party or parties concerned, and the decision of the Conservator thereon shall be final.

30. *Fees.*—The following fees shall be payable by the owner of a harbour craft applying for a licence under these rules, namely:—

Rs. A. P.

(i) for the survey and measurement of each harbour craft	0	4	0	for registered or gross ton/or part thereof.
(ii) for issue or renewal of a licence	2	0	0	
(iii) for endorsing change of tindal	1	0	0	
(iv) for registration of tindal	2	0	0	
(v) for registration of boat	2	0	0	

Provided that

(a) in respect of canoes or rowing boats, only half the above fees shall be payable.

(b) where the harbour craft is found unseaworthy at the time of survey or at the time of annual inspection, only half the fee shall be payable;

(c) where the harbour craft is a motor boat or steam boat in respect of which a certificate of survey under the Indian Merchant Shipping Act, 1923, or the Inland Steam Vessels Act, 1917, is held by the owner, no fee shall be payable for survey and measurement, but if no such certificate of survey is held, a fee of Rs. 32 shall be payable; and

(d) the fee for the issue of a duplicate licence shall be half of the fee for the original licence, provided the latter is proved, to the satisfaction of the licensing officer, to have been lost or mislaid, or has been rendered illegible.

31. *Special provision applicable to steam boats & motor boats licensed under these rules.*—(1) Every steam boat licensed under these rules shall, when in use, whether plying for hire or not, have on board the following certificated officers:—

(i) if she has engines of not less than 100 N. H. P.—

(a) as her master, a person possessing a first class master's certificate granted under the Inland Steam Vessels Act, 1917, or any such certificate granted either under the Indian Merchant Shipping Act, 1923, or the Merchant Shipping Act, 1894, or under such regulations as the Central Government may, from time to time prescribe, and

(b) as her engineer, a person possessing an engine certificate granted under any of the aforesaid Acts or regulations;

(ii) if she has engines of less than 100 N.H.P., but not less than 40 N.H.P.—

(a) as her master, a person possessing a second-class master's certificate granted under the Inland Steam Vessels Act, 1917, or any such certificate as is referred to in sub-clause (a) of clause (i), and

(b) as her engineer or engine-driver, a person possessing a first class engine-driver's certificate granted under the Inland Steam Vessels Act, 1917, or an engine-driver's certificate granted under the Indian Merchant Shipping Act, 1923, or under such regulations as the Central Government may from time to time prescribe or any such certificate as is referred to in sub-clause (b) of clause (i);

Provided that a steam boat shall be deemed to have complied with this clause if she has, as her master and engineer or engine-driver a person possessing both a certificate referred to in sub-clause (a) and a certificate referred to in sub-clause (b); and

(iii) if she has engines of less than 40 N.H.P.—

(a) as her master, a person possessing a Serang's certificate granted under the Inland Steam Vessels Act, 1917, Indian Merchant Shipping Act 1923 or the Merchant Shipping Act, 1894 or any such certificate as is referred to in sub-clause (a) of clause (ii) and

(b) as her engineer or engine-driver, a person possessing a second class engine-driver's certificate granted under the Inland Steam Vessels Act, 1917, or any such certificate as is referred to in sub-clause (b) of clause (ii);

Provided that a steam boat shall be deemed to have complied with this clause, if she has, as her master and engineer or engine driver, a person possessing both a certificate referred to in sub-clause (a) and a certificate referred to in sub-clause (b).

(2) Every motor boat licensed under these rules shall, when in use, whether plying for hire or not, have on board the following certificated officers,—

(i) if she has engines of not less than 565 B.H.P.

(a) as her engineer, a person possessing a motor engineer's certificate granted under the Inland Steam Vessels Act, 1917, Indian Merchant Shipping Act, 1923 or the Merchant Shipping Act, 1894, or a certificate as a first-class or second-class engineer of sea-going motorship granted either under the Indian Merchant Shipping Act, 1923, or the Merchant Shipping Act, 1894, or under such regulations as the Central Government may from time to time prescribe;

(b) in case the engines are used for propulsion, as her master, a person possessing a first-class master's certificate granted under the Inland Steam Vessels Act, 1917, or a master's certificate granted either under the Indian Merchant Shipping Act, 1923, or the Merchant Shipping Act, 1894 or under such regulations as the Central Government may from time to time prescribe;

(ii) if she has engines of less than 565 B.H.P., but not less than 226 B.H.P.—

(a) as her engineer or engine driver, a person possessing a first-class motor engine-driver's certificate granted under the Inland Steam Vessels Act, 1917, Indian Merchant Shipping Act, 1923 or the Merchant Shipping Act, 1894, or a certificate of an engine-driver of a sea-going motor ship granted under the Indian Merchant Shipping Act, 1923 or under such regulations as the Central Government may, from time to time prescribe or any such certificate as is referred to in sub-clause (a) of clause (i); and

(b) in case the engines are used for propulsion, as her master a person possessing a second-class master's certificate granted under the Inland Steam-Vessels Act, 1917 or Indian Merchant Shipping Act, 1923 or the Merchant Shipping Act, 1894, or any such certificate as is referred to in sub-clause (b) of clause (i); and

(iii) if she has engines of less than 226 B.H.P.—

(a) as her engineer or engine-driver a person possessing a second-class motor engine-driver's certificate granted under the Inland Steam-Vessels Act, 1917 or Indian Merchant Shipping Act, 1923 or the Merchant Shipping Act, 1894, or any such certificate as is referred to in sub-clause (a) of clause (ii); and

(b) in case the engines are used for propulsion, as her master, a person possessing a serang's certificate granted under the Inland Steam-Vessels Act, 1917 or Indian Merchant Shipping Act, 1923 or the Merchant Shipping Act, 1894 or any such certificate as is referred to in sub-clause (b) of clause (ii).

Provided that a motor boat having engines of not more than 40 B.H.P. may have as her engineer or engine driver, a person holding a permit granted by the Central Government or by any person duly authorised by the Central Government in this behalf;

Provided also that a motor boat having engines of not more than 20 B.H.P., the length of which measures from the fore part of the stem to the after part of the stern post does not exceed 30 feet may have as her master and engineer or engine-driver, a person possessing both a certificate referred to in sub-clause (a) and a certificate referred to in sub-clause (b):

Provided further that a motor boat having engines of not more than 20 B.H.P., the length of which measured as aforesaid does not exceed 30 feet, which is used exclusively for personal recreation by the owner or his family or friends need not carry a certificated master or engineer but may be navigated by the owner or any other person possessing a permit granted by the Central Government or by any person duly authorised by the Central Government in this behalf.

(3) Any person who has served as master, serang, engineer, or engine-driver of a steam boat or motor boat plying in the port for a period of 3 years on the 1st October 1954, and is not in possession of the certificate of competency required under sub-rule (1) or sub-rule (2), as the case may be, may be granted by an officer duly authorised by the Central Government in this behalf, without examination and on payment of the fees prescribed by the Central Government, a certificate to the effect that he is, by reason of his having so served, competent to act as a master, serang, engineer, or engine-driver on board such steam boat or motor boat while plying in the port.

(4) The Central Government may in special circumstances—

(a) exempt any class of steam boats or motor boats from the requirements of sub-rule (1) or sub-rule (2), as the case may be, and

(b) lay down the qualifications required of the officers employed on such boats.

32. (1) Every motor boat licensed under these rules shall be provided with a sand box and an approved patent fire extinguisher of suitable capacity for extinguishing fire, and the owner shall keep it free from oil refuse.

(2) Noisy engines of all motor boats, licensed under these rules while plying within the port, shall be fitted with efficient silencers.

# FORM 'A'

[See Rule 5 (ii)]

Licence granted to.....owner of harbour craft measuring.....feet long.....feet broad  
and.....feet deep.\*  
Registered tons.

To carry cargo (other than animals) and/or passengers, or animals to the extent specified below under the restrictions and subject to the penalties laid down in the Harbour Craft Rules for the Port of Kandla 1954.

1	2	3	4	5	Cargo without passengers							Particulars respecting the owner or owners of the harbour craft			Particulars respecting the tidal of the harbour craft			16
					6		7		8		9	10	11	12	13	14	15	
Date of Registry	Names, number and description of harbour craft	Rig and equipment	When built and where	When repaired last and in what condition	Number of animals and presumed weight	Weight of cargo other than animals	Number of passengers without cargo	Number of crew	Names or name	Occupation	Place or places of residence	Name	Place of residence	Period for which the licence is to be in force	Remarks			
					Fair weather	Foul weather	Fair weather	Foul weather	Fair weather	Foul weather	Tindal..							
											Lascars..							

e:— from 26th May to 31st August will be deemed as Foul Weather.

1958

THE GAZETTE OF INDIA, OCTOBER 1, 1956

[Part II—Sec.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
					In fair weather	In fair weather	In fair weather	Tindal...							
					In foul weather	In foul weather	In foul weather	Lascars...							

Notice:— Two children under 12 years of age will be deemed as one adult

\*Measured in accordance with Rule 5 (ii) of the Harbour Craft Rules, Kandla Port.

Dated.....19

Extended to.....19

Extended to.....19

Extended to.....19

LICENSING OFFICER





## SCHEDULE A

(See rule 6)

The following will be the subsidiary Rules for pilotage at the Port of Kandla:—

## PILOTAGE

1. Pilotage into and out of Kandla Port is compulsory except for those vessels specifically exempted by the Port Authority or exempted under the provisions of the Indian Ports Act, 1908.

2. The Pilot boards incoming ships and disembarks from out-going ships in the vicinity of the outer Tuna Buoy in position 22° 50' 7N, 70° 07' 1E and assists in piloting a vessel to and from her assigned berth and also in berthing and unberthing the vessels.

3. The master shall supply to the Pilot all information with regard to quarantine, dangerous goods on board, ship's draft and matters relating to the ships behaviour etc. and shall, on completion of pilotage and berthing/unberthing, complete and sign the certificates on specified forms presented by the Pilot.

4. In the event of an outward bound vessel over-carrying a Pilot outside the limits of the Port, the master shall be bound to land the Pilot at the nearest possible port and shall be liable to pay all expenses incurred on this account.

5. Pilots shall be supplied with breakfast between 7 and 9 A.M. with lunch between noon and 2 P.M. and dinner between 6 and 8 P.M. Indian Standard time, failing which the master shall pay compensation for food viz. Rs. 3/- for any of the meals missed by a Pilot.

6. The Master of a vessel shall display such signal or signals as may be required by the Pilot and shall by night, keep handy, two Red, two Green and three White lights visible all round the horizon to be used as may be directed by the Pilot.

7. The Master of the vessel shall be responsible to take on board such equipment as the Pilot may carry with him in the interest of Pilotage of ships viz. R/T equipment, Binoculars, Pilot's Kit etc.

8. Every ship entering or leaving the harbour shall be provided with the following:—

(a) An efficient Pilot ladder to enable the pilot to embark and disembark with safety, and shall be of sufficient length to reach the water, when the ship is in light trim and has no list, from the Dock on which it is intended that the pilot shall embark and disembark.

(b) A man-rope of not less than 2½ inches circumference shall be provided on each side of the ladder and the inboard end of the man-rope shall be firmly secured to the ship.

(c) Means shall be provided to enable the ladder to be used on each side of the ship and to enable the pilot to pass safely from the head of the ladder to the deck of the ship.

9. *Prohibited Anchorage.*—Vessels are not to anchor in the buoyed Channel or in the Kandla Creek system at places other than appointed berth or within a radius of 1,500 feet of the other Tuna Buoy in position 22°50' 7N, 70° 07' 1E. If a master is forced to anchor in the prohibited area, through circumstances beyond his control, and if he has no Pilot on board he will bring this fact to the notice of the harbour master.

10. *Services of Harbour Tug.*—It will be incumbent upon the Master of a vessel to avail of the service of the Harbour Tugs, while navigating within the port limits, if the Harbour Master or the Pilot considers that tugs are necessary for the safe navigation and manoeuvrability of the vessel.

11. *Anchoring and mooring.*—In the event of a vessel parting her riding cable, whether secured to an anchor or to a buoy it is necessary to have an anchor ready for letting go, without delay, and to be prepared to meet such an emergency with readiness and despatch as the result of the parting of the riding chain may be extremely serious.

NOTE.—Any infringement of any of the above Rule, shall be punishable with a fine which may extend to five hundred rupees plus reasonable expenses incurred in removing the same in accordance with the provisions of the Indian Ports Act XV of 1908.

## SCHEDULE B

(See rule 35)

### SIGNALS FROM VESSELS

Signals can be made, when necessary, by using the 'International Code of Signals'. They will be acknowledged by hoisting the answering pendant at the Signal Mast over the Harbour office. Communications by Semaphore and Morse Code, respectively, may be made to the Port Signal station by displaying the flag "Z" by day and by flashing "Z", at short intervals, by night.

All vessels, when within Port limits, shall display the following signals, as and when required:—

Signal		Where hoisted	Significance
Day B	Night φ R	Where best seen	Have explosives on board including Kerosene or Petrol. <i>Note :</i> (Vessels having any quantity of explosives other than for their own use should make use of this signal).
G	φ W	On Foremast head	I require a Pilot.
F		Foremast yard Arm.	Am entering the harbour.
N		Do.	Am proceeding out of the harbour
X		Do.	Am shifting berth in the harbour
Black ball 2 ft. diameter		At Foremast head.	
		(a) Half mast	Am proceeding at half speed.
		(b) Right up	Am proceeding at full speed.

*Note.*—Flags, F, N and X shall be repeated by the Port Signal Station to indicate ships entering Port, leaving Port and shifting within the harbour respectively and shall act as a warning to the Harbour Craft and Sailing Vessels.

W	φ W φ W φ W	Where best seen	Want doctor or medical assistance.
DQ	φ R φ R	Where best seen	Am on fire and require immediate assistance.

*Note.*—Vessels are to sound eight short blasts followed by 1 long blast on the whistle in order to attract immediate attention which should be repeated at short intervals if necessary.

Signal	Whose hoisted	Significance
Day DV	Night *R W W	Where best seen . . . Have sprung a leak and require immediate assistance.
DZ	*R R W	Do. . . . Require immediate assistance.
DY	φR R R	Do. . . . Require a driver. &
ST	φ φ φ W W R	Do. . . . Want Police.
YA	φ W R R	Do. . . . Require Tug.
ANG	φ φ φ W R W	Do. . . . Have parted moorings.

*Note.*—Whenever it is found necessary to alter berthing orders to the approaching vessel, the following signals shall be displayed from the signal station to advise Pilot on board.

Signal	Where hoisted	Significance
Blue square flag over a black ball.	Where best seen . . .	Anchor in stream till further orders.

#### FIRE IN PORT AREA

In the event of outbreak of fire on shore, in the Port area, or on board a ship lying alongside a shore berth a blue square flag by day and 2 green lights one over the other by night will be displayed from the yard arm of the Port Signal Station and also Eight short blasts followed by one long blast will be sounded on the Port siren and repeated at short intervals.

*N.B.*—All the night signals shall be made in one hoist the lights being in a vertical line one over the other not less than 3 feet apart.

Quay means a berth where a ship can lie alongside the shore or alongside a break water.

Quay berths, swinging mooring berths, fixed mooring berths and stream anchorage berths in the Kandla Creek will be indicated by signals as follows for the purpose of allocation of berth to incoming ship, by flag signal during day and by flash on morse lamp at night, from the Port Signal station.

Alongside berths	Swing moorings berths	Miscellaneous moorings.
Q 1 Quay No. 1	M 1 Swing mooring No. 1	D-1, 2, 3 Double moorings
Q 2 Quay No. 2	M 2 Swing mooring No 2	No. 1, 2, 3, etc.
Q 3 Quay No. 3	M 3 Swing mooring No. 3	S 1,2,3, Salt moorings 1,2, 3, etc.
Q 4 Quay No. 4	M 4 Swing mooring No. 4	E 1, 2, 3, Explosive moorings 1, 2, 3, etc.
T-1 Tanker Jatty 1		Ships in stream
a		Quarantine age and others
		1
		2
		3
		4

#### MUSTER OF HARBOUR CRAFT

Square blue flag with four Red Horizontal stripes hoisted at the Port Signal Station. All harbour crafts are to repair to the Port passenger landing stag with the quickest possible despatch.

**S.R.O. 2144.**—In exercise of the powers conferred by sub-section (1) of section 6 of the Indian Ports Act, 1908 (XV of 1908), the Central Government hereby makes the following rules, the same having been previously published as required by sub-section (2) of the said section, namely:—

### THE KANDLA PORT RULES, 1955

1. *Short title and application.*—(a) These rules may be called the Kandla Port Rules, 1955.

(b) They shall apply within the limits of the Port specified in rule 3.

2. *Definitions.*—In these rules, unless the context otherwise requires—

- (i) "Act" means the Indian Ports Act, 1908 (XV of 1908);
- (ii) 'boat' means every kind of small craft not mechanically propelled;
- (iii) "day-break" means half an hour before sunrise and 'dark' means fifteen minutes after sunset;
- (iv) "Conservator of the Port" means the officer appointed by the Central Government under section 7;
- (v) "Deputy Conservator" means the officer appointed by the Central Government to act under the authority of the Conservator of the Port;
- (vi) "Traffic Manager" means the officer appointed by the Central Government to hold charge of the traffic department under the authority of the Conservator;
- (vii) 'Port' means the Port of Kandla as described in rule 3;
- (viii) 'goods' include wares and merchandise of every description including live stock;
- (ix) "Master" in relation to any vessel means any person (except a Pilot or Harbour Master), having for the time being the command or charge of such vessel;
- (x) "owner" when used in relation to goods, includes any consignor, consignee, shipper or agent for the sale or custody thereof, and when used in relation to any vessel, includes any part owner, charterer, consignee, or mortgagee or agent in charge thereof;
- (xi) "port authority" means the officer appointed from time to time by the Central Government to hold charge of the Port Administration;
- (xii) "power driven vessel" means any vessel propelled by machinery;
- (xiii) "sea going vessel" means every description of vessel used in Sea-navigation or notified as seagoing by the competent authority;
- (xiv) "section" means a section of the Act;
- (xv) "small craft" means every description of vessel, not being a sea-going vessel or an inland steam vessel, which is used for the conveyance by water of human beings or of goods.

3. *Port limits.*—For the purpose of these rules, the following shall be the limits of the Port of Kandla under section 4:—

*On the West.*—By a line South-Westerly from the village of Shinaya to the point where the meridian of 70° 00' East long. cuts the coast line and thence 180° along the meridian to Latitude 22° 46.5' North.

*On the South.*—By a line drawn at 63° from the position Lat. 22° 46.5' North Long. 70° 00' East to a Beacon in Lat. 22° 56' North, Long. 70° 19.3' East thence along the South Coast of Sathsaida Bet to the Centre of Hansthal Creek.

*On the East.*—By a line drawn from the Centre of Hansthal Creek to the Centre of Chha Creek until longitude 70° 38' East and thence North along the meridian of Latitude 23° 12.5' North.

*On the North.*—By the parallel of Latitude of 23° 12.5' North to Longitude of 70° 18' East thence south-westward to the meeting of the Gandhi-Dham Township Boundary and the Churwa River, along the Southern limit of the township boundary to a point North-East from Shinaya and thence to the village of Shinaya.

4. *Master or Agent to intimate arrival of vessel in advance.*—A report in writing in respect of every vessel expected to arrive at the Port shall be made in advance to the Deputy Conservator and also to the Traffic Manager, by the master, owner or agent stating the expected date of arrival of the vessel, the name of

such vessel, the cargo carried or whether in ballast, and full particulars of dimensions, draught, tonnage and special features of equipment or construction. The said report shall be followed by a precise intimation giving the expected time of arrival of the vessel at the Tuna buoy (Pilot Station).

5. *Pilotage.*—Subject to the provisions of the Act and the instructions in Schedule A annexed to those rules, pilotage is compulsory and pilots shall meet the vessels at Tuna buoy in the case of incoming vessels and out-going vessels shall be left at the Tuna buoy.

6. *Ladder not to be lowered without Pilot's consent.*—No accommodation, ladder or pilot ladder shall be lowered without the consent of the pilot, while the vessel is in pilotage charge.

7. *Vessels not to be moved or piloted in or out without Master on board.*—A vessel shall not be piloted in or out or be moved from one berth to another in the port, unless the Master of such vessel or other officer holding a Master's Certificate is on board and is in actual command. The presence of a pilot or any officer of the port on board shall, under no circumstances, be deemed to impose any liability on any such officer.

8. *Vessels entering during day to show flag.*—All sea-going vessels on entering or leaving the port between day break and dark shall fly their national flag and when entering the port, each vessel shall show her signal letters.

9. *Vessels to be ready.*—(a) Vessels under way shall have both bow and stern anchors and cables, clear and ready for use if required.

(b) All sea-going vessels in Harbour shall be so ready as to be able to raise full steam at 12 hours' notice. In cases of emergencies due to stress of weather or otherwise or for reasons of special circumstances, all vessels in Port can be called upon to raise full steam at FOUR hours' notice.

10. *Vessels to keep clear.*—All vessels shall keep clear of vessels about to enter or leave the port which by day will be indicated by a black ball, 2 ft. in diameter hoisted at the mast-head of Port signal station.

11. *Direction of Deputy Conservator shall be obeyed by Master and Owners in respect of coming in or going out.*—Masters and owners of vessels shall obey all directions of the Deputy Conservator or his authorised officers with regard to rotation and manner of approaching the Port entrances, and of coming into or going out of the Port.

12. *Vessels to take only assigned berths.*—All vessels in the Port shall take up such berths as may be assigned to them by the Deputy Conservator and shall change their berth, or leave, when required to do so.

13. *Vessels arriving with dangerous cargo to have berth set apart.*—Vessels arriving in the Port with ammunitions, explosives, petroleum and dangerous and hazardous goods on board for discharge either at Port or elsewhere shall take up such berths as may be set apart from time to time by the Conservator.

14. *Vessels bringing import to have precedence for berthing over vessels for export.*—Vessels bringing import cargo shall be given preference over vessel for loading export cargo. Vessels bringing import cargo shall ordinarily be allotted berths in the order of their arrival at the Pilot Station.

15. *Deputy Conservator may change precedence if interests of Port or shipping so demand.*—Notwithstanding anything in rule 14, where the Deputy Conservator is satisfied in consultation with the Traffic Manager that it is expedient so to do and in the general interest of shipping or port, he may accord preference to a vessel loading an export cargo over a vessel bringing an import cargo.

16. *Traffic Manager to move vessel out of berth if proper use is not made.*—The Traffic Manager shall cause a vessel to be moved out of the berth if, in his opinion, the vessel is not making a proper use of the berth and the facilities on the quay.

17. *Conservator's decision to be final in the matter of berthing.*—In all matters of dispute with regard to berthing, the decision of the Conservator will be final.

18. *Vessels to be under steam or assisted by tugs.*—A vessel shall not be permitted to navigate the port channel or the port, unless propelled by her main engines or assisted when necessary by an efficient steam tug or tugs. In the

event of insufficient steam power being provided by the Master or owner, or whenever the Deputy Conservator deems it desirable, he may employ the Port tug or tugs for duties in connection with any vessel navigating the port channel or the port and the Master or the owner of such vessel shall pay the prescribed charges for the use of the tug or tugs.

19. *Vessels Propeller not to be worked.*—While a vessel is berthed or moored in the port, her propeller shall not be moved either by power or hand without the previous written permission of the Deputy Conservator and subject to such conditions as he may direct. Masters and owners shall be responsible for any damage that may result from the moving of the propeller by power or hand, notwithstanding the fact that the permission required by this rule has been obtained.

20. *Repairing vessels.*—Repairs to or work on any vessel in the port shall be carried out in such manner that no chipping scalings, pieces of wood or like loose substances or materials shall be allowed to fall into the Harbour, and a canvas chute or staging, shall in every instance be erected in order to effectively prevent any such loose materials as aforesaid from so falling. The Traffic Manager or the Deputy Conservator may prohibit chipping or repairs causing excessive noise between such hours of darkness as he may deem necessary.

21. *Use of inflammable materials on board vessel.*—Pitch, resin, tallow or other inflammable materials shall not, on any account, be melted on board and vessel in the port or on the quays, except in such manner, and at such places, as shall be appointed by the Traffic Manager or by the Deputy Conservator nor shall any pitch, tar, oil flax, okum, straw, shavings or other inflammable or combustible article be allowed to remain on the deck of any vessel, or on the quays, wharves or open areas in the port, other than those prescribed for the purpose.

22. *Exhaust etc. Pipes.*—Exhaust steam or water from winches or other machines or engines on board vessels in port shall be led down the side of the vessel to below the coping of the wharf by a hose or other effective appliances.

23. *Supply of Gear.*—The vessel shall supply suitable gear of good quality and sufficient capacity to allow a reasonable margin of safety when dealing with the cargo for which it is used. The Traffic Manager or any person working under him any prohibit the use of any gear which, in his opinion, is in any way defective or unsuitable for the cargo for which it is to be used.

24. *Removal and placing of anchors etc.*—Anchors shall not be allowed to remain a cockbilled. Square spars shall not be allowed to hang alongside or astern of vessels.

25. *Protection of hatchways.*—Vessels when not working cargo at night shall have all open hatchways protected by stout netting.

26. *Keeping Free passages.*—Free passages shall be kept to all piers, jetties, landing places, wharves, quays, mooring and other works, and all vessels and boats shall be bound to move, when required to clear such passages.

27. *Approaches to pier and landing places not to be obstructed.*—Boats, whether ship's boats or boats plying for hire shall not lie alongside any of the pier or landing places longer than is actually necessary to embark or land passengers and their baggage etc., but will anchor or lie-off at a distance of at least 30 yards from such pier or landing place, in order that the approaches thereto may not be obstructed.

28. *Projection of rafts.*—Rafts of timber made fast to vessels shall not be allowed to extend more than one hundred feet from the stern, or more than fifty feet from the sides of such vessels.

29. *Wide berth to dredgers and hoppers.*—Vessels and boats approaching or passing dredgers and hopper barges exhibiting the 'not under control' signal shall give such dredgers and hopper barges a wide berth and shall avoid all interference with their operation.

30. *Sounding of steam whistle.*—Every ocean-going vessel or tug towing an ocean-going vessel when passing through the harbour channel shall sound the steam whistle, at short intervals, as a warning to other vessels to get out of the way, and a vessel at anchor, in the stream, shall do likewise when getting under way, and it shall be the duty of all such other vessels to see that a free passage is preserved through the harbour channel for every such ocean-going vessel or tug towing an ocean-going vessel.

31. *Length of cables.*—Vessels, when moored in port, shall have not less than 60 fathoms on each cable and shall keep a clear hawse.

32. *Cables to be ready to be hove up.*—Vessels when moored with two anchors shall have both cables ready to be hove up immediately if required.

33. *Second anchor.*—Vessels at single anchor shall have a second anchor ready to let go and while laid up in the stream shall sight their anchor every three weeks.

34. *Regulation of Moving and Warping.*—All vessels within the port shall be moved or warped from place to place as required and by such means or appliances as may be ordered by the Deputy Conservator.

35. *Casting off of warp.*—A vessel shall not cast off any warp made fast to her in order to assist the mooring of another vessel without permission from the Pilot in charge of such other vessel.

36. *Exhibition of lights.*—All vessels, of whatever rig or dimension, when underway or at anchor in port limits shall at night exhibit the lights required by the International Regulations for preventing collisions at sea.

37. *Fenders.*—Fenders that will not float shall not be used over the side of any vessel. Floating fenders may be provided by the Port to keep the vessel off the quay wall. These fenders are not to be lifted or removed by Masters of vessels or their stevedores.

38. *Regulation of number of crew.*—All vessels, afloat within the port, shall have on board a sufficient number of crews to perform any duties which may become necessary in any emergency for the safety of the vessel in regard to veering or heaving in cable, bracing up yards, striking mast and yards or the like.

39. *Responsibility of Master.*—(1) The Master shall make arrangements for a responsible officer to be available on board all the time a sea-going vessel is in the port, to ensure the observance of all the rules and for the discharge of all the duties connected with the vessel and her cargo and to take every precaution against accidents to life and limb or damage to property, and in particular,

- (a) to make his vessel securely fast to the bollards and other appliances provided for the purpose;
- (b) to keep the vessel so loaded or ballasted that she can be safely removed in the event of fire or other emergency;
- (c) to secure the hatch beams when in use and all hatches when not in use;
- (d) to provide proper light in those parts of the vessel where work is going on or where, owing to insufficient light, injury to persons or damage to property might result;
- (e) to fix and keep securely fixed the gangway supplied by the port during the whole time the vessel remains alongside the quay berth;
- (f) to hang between sunset and sunrise at least one light at each end of the gangway.

(2) Masters and owners of vessels shall be held responsible for all accidents which may, for any reason whatsoever, result from failures to adopt any of the foregoing precautions.

40. *Watchman to be kept on Deck.*—(1) While in the port, a vessel shall always maintain a quartermaster or watchman on duty on deck who shall be stationed in charge of the vessel's shore gangway, and who shall attend, under the guidance of a responsible officer of the port,

- (i) to the mooring ropes and lines of the vessel, and shall cause their adjustment, from time to time, as necessary, on the rise or fall of the water;
- (ii) to the prevention of unauthorised person boarding the vessels.

(2) In default, the Master or owner of the vessel shall be liable and responsible for any resultant damage.

41. *Masters etc. of vessels responsible for damage.*—Masters and owners of vessels shall be held responsible and liable for any damage, whatsoever, that may be caused by their vessels or by their servants to any property or work belonging to the Port and the Port reserves the right to detain their vessels, in the port, until security has been given for the amount of damage caused.

42. *Vessel etc. in port at risk of master*—The port accepts no responsibility, whatsoever, for any loss or damage that may arise as a consequence of faulty navigation by the Master or by reason of the vessel breaking adrift from anchors or moorings. The responsibility for any such loss or damage must be borne, entirely, by the Master and owner.

43. *Master's responsibility for acts of crew etc.*—Masters and owners of vessels shall be held responsible and liable for consequences arising from any act or default of any member of the crew and of any person or persons employed on or Board their vessels.

44. *Notice regarding outbreak of fires on vessels to be given by Masters, etc.*—In the event of any fire occurring on board a vessel in the port, the master or the owner or the agent shall give immediate notice thereof to the Deputy Conservator. Such notice shall be given in writing in the case of every fire, whether the fire occurs in cargo or in bunkers, and shall give details of measures which are taken or are being taken, to control and extinguish it.

45. *Pressure of steam.*—Masters of vessels, entering or leaving the Port, shall be responsible for the maintenance of sufficient pressure of steam to work their engines at full speed, ahead or astern as may be required, until such time as their vessels are berthed in the port or are clear of the port channels.

46. *Number of boats which may be made fast to vessels*—The master or other person in charge of any vessel, at anchor or moored in the port, shall not allow more than 10 cargo or other boats to be made fast to such vessels.

47. *Regulation of the employment of person engaged in cleaning vessels etc.*—Masters of vessels in the port shall not send any person or persons into the bilges or other confined spaces or board their vessels until such necessary precautions as are laid down in the subjoined directions and extracts from the Admiralty Regulations have been strictly observed.

#### DIRECTION

Unless proper precautions are taken, persons sent down to scrape the bilges of vessels may lose their lives through asphyxia from the inhalation of mephitic gas. The Masters of the vessels are, therefore, directed to guard against accidents by pumping water in and out of the bilges, opening the manhole doors (under proper precautions) so as to ventilate the bilges, and by such other means as may be necessary in each particular case, and they are to prevent persons from entering the bilges until these precautions have been taken. The particular attention of Masters of vessels is drawn to the above directions, as well as to the advisability of detailing off some competent person to see that no one enters the bilges until the bilge water has been pumped out and that tinders in charge of boys who are to work in the bilge properly carry out all orders given to them in this respect. The pumping out of bilge water will not be permitted in the port.

#### EXTRACT FROM ADMIRALTY REGULATIONS

Men cleaning and coating double bottoms—(1229). The following precautions are to be observed while men are engaged in cleaning and coating the double bottom of an iron ship:—

- (a) The air fan with hose is to be freely used for pumping in fresh air before the men are sent down and while they are at work.
- (b) A leading stoker is to be responsible under the Engineer-in-Charge of the party that no man enters the compartment unless a light has been held in and left at the bottom of the compartment for at least five minutes, to ascertain the purity of the air.
- (c) Still greater caution is required when the compartment has only one exit.
- (d) Communication is always to be kept up between the men in the inner compartment and those who have access to the outer air end.
- (e) The men are to be warned that they should leave the compartment immediately the light begins to burn dimly; a candle is to be supplied to each party as a surer test than a lamp, since it might be thought that a lamp burnt dimly for want of trimming.

The same precautions are to be taken when examining boilers and bunkers.



48. *Goods etc. not to be allowed to fall into Port.*—No goods, ballast or other substance shall be thrown or allowed to fall into the water, from vessels alongside the wharves or elsewhere in the harbour, and the Master of the vessel shall, in the event of such occurrence, forthwith notify the same, in writing, to the Traffic Manager and to the Deputy Conservator. At the discretion of the Deputy Conservator, such goods, ballast or other substance may be recovered or removed at the expense of the Master of the vessel.

49. *Ashes, Rubbish etc. not to be allowed to fall into Port.*—No person shall throw from any vessel, nor shall the master of any vessel permit to be thrown from such vessel, into the harbour, any ashes, clinker, sweepings or other rubbish. Nor shall any person discharge from any vessel, nor the master of any vessel permit to be discharged from such vessel any such thing into any boat or other vessel except through a canvas or other chute, constructed to the satisfaction of the Deputy Conservator.

50. *Ashes, Rubbish, etc. not to be deposited on quays etc. without permission.*—No person shall, without the written authority of the Traffic Manager, deposit upon any quay or pier, in a shed or in any part of the port, any ashes, ballast, baskets, bottles, cinders, dirt, dung, dust, refuse, rubbish, shavings, stones or other like loose material or substance. The aforesaid materials shall be landed on the quay in such place as may be indicated by the Traffic Manager whence it shall be removed to a place, specially provided for the purpose by the port, at the expense of the Master or owner of the vessel. A vessel requiring an ash boat or a dirt boat should hoist the International Code Signals FS OR FT.

51. *The sinking of any boat or craft in the harbour to be reported by the master of the boat.*—The master of any cargo, masula or other boat which has, from any cause, sunk in the harbour shall, forthwith, report the fact of such sinking, and the place where it occurred, to the Deputy Conservator of the port.

52. *Bilge, water etc. not to be pumped into port.*—No person shall pump or throw bilge water or water of any description upon or against any wharf, or any filth, rubbish or refuse of any kind into the harbour.

53. *Signals according to International Code.*—The signals, as prescribed in the International Code of Signals, are to be used in the port and such signals, as may be required and necessary, shall be hoisted, displayed and observed, as the case may be, by the master of the vessel entering or leaving the port whilst in pilotage charge. The master shall hoist or display signals in such position as the Pilot in charge shall direct. The local Signals shall be in accordance with Schedule B annexed to these rules.

54. *Signals in case of fire and other emergencies.*—Whenever a fire occurs on board any vessel, within the limits of the port, or whenever any vessel within such limits is in distress or requires assistance from other vessels or from the shore, the signals as required by day in the International Code of Signals shall be hoisted and the signals as required by night as specified in Schedule B annexed to these rules. Overheating or smouldering of coal or other cargo in holds or bunkers is to be immediately reported, by letter or in person, to Deputy Conservator, and no vessel in this condition may be taken into the port without the permission of that officer.

55. *Dredgers to carry signals day and night.*—Dredgers at work, while laying out chains or when not under control and hopper barges, similarly employed in attendance on such dredgers and not under control shall carry the regulation signals by day and by night.

56. *Sounding of whistles or sirens.*—Whistles or sirens shall not be sounded on board any tug, launch or other vessel within 200 yards of any quay, pier or landing place in Port except in cases of emergency or for the purpose of giving such warning as may be necessary to indicate her proximity or approach to another vessel.

57. *Regulation of the use of fires and lights.*—Naked fires shall not be allowed on board any boat lying within 50 yards of the wharves or jetties.

58. *Heating of pitch.*—Pitch may be heated in the boat alongside or astern of vessels in Port, but it must, under no circumstances, be heated on board such vessels.

59. *Unprotected lights not allowed.*—Unprotected light shall not be allowed on deck or in any cargo compartment of vessels in port loading cotton.

60. *Storing of spirits and other oils.*—Spirits, oils, paints, spirits of turpentine and all inflammable substances shall be stored on board vessels in the port in a place of security.

61. *Precautions for avoiding collision.*—International Regulations for the prevention of collision at sea shall apply within the limits of the Port of Kandla except when they conflict with these rules, in which case these rules shall prevail.

62. *Application for leaving the Port.*—A written application shall be made to the Deputy Conservator by the Master or Owner or Agent of any vessel intending to leave the Port. Such application shall state the name of the vessel and its draught and shall be made at least six hours before the Pilot is required.

63. *Regulation of anchoring, mooring etc.*—All vessels within the port shall moor and unmoor or anchor in accordance with the orders of the Deputy Conservator.

64. *Working capacity of vessels.*—A vessel discharging general cargo shall unload at least 50 tons per hook per day and bag cargo at least 150 tons per hook per day. Vessels loading export general cargo shall load at least 50 tons per hook per day and bag cargo at least 100 tons per hook per day. In the event of a vessel doing less than the quantities rated above, the Traffic Manager, may, at his discretion require the vessel to vacate the berth for allotment to other vessels.

65. *Regulation of the use of mooring buoys, etc.*—No vessel belonging to private owners shall moor at a buoy or take up any of the anchorage without the previous permission of the Deputy Conservator.

66. *Use and Disposal of equipment.*—No stage, plank or other article provided by the port for the loading and or discharging of sea going vessel shall be used without an order from the Traffic Manager. All stages, planks and other articles provided by the port shall, when loading or discharging is completed, be replaced on the quay or jetty by the vessel using them, alongside it. All stages, planks and other articles not provided by the Port shall, when loading or discharging is completed, be removed by the vessel from the port within 24 hours of the time of completion of that work.

67. *Port accepts no responsibility for delay, etc.*—The port accepts no liability or responsibility in respect of any detention of or delay to vessels, entering, remaining in or going out of the port or in the progress of vessels to or from the port or for the detention or delay in the discharge of cargoes from vessels or for delay in loading of goods, or for any reason whatsoever.

68. *Licensing of stevedores.*—(1) No stevedore shall be allowed to work on board any vessel at the port unless he holds a licence issued by the Port Conservator, Kandla, subject to such conditions as may be prescribed by him in this behalf.

(2) Licences for performing the duties of stevedores at the Port of Kandla shall be issued by the Port Conservator, Kandla, on the recommendation of the Traffic Manager, to approved firms and individuals subject to the following conditions:—

- (a) every licence shall be valid for a period of one year expiring on the 31st day of March of the year following the year in which the licence is granted and shall be renewable from the 1st of April every year;
- (b) the licence shall be non-transferable;
- (c) a further sum of Rs. 10/- per annum shall be payable by every licensee to the Port Authority as administrative charges;
- (d) the applicant for a licence shall produce evidence that a steamship company is prepared to enter into a contract for stevedoring their vessels;
- (e) the applicant shall have to prove to the satisfaction of the Traffic Manager that he has—
  - (i) sufficient staff;
  - (ii) minimum working gear as may be prescribed;
  - (iii) financial solvency to meet normal obligation; and
  - (iv) qualifying experience sufficient in the opinion of the Traffic Manager;

- (f) a licence is liable for cancellation, or suspension, without any refund of administrative charges paid, by the Conservator in case of complaints, misconduct, unfair or irregular practice, or any such reason, after giving the licensee an opportunity of being heard; and
- (g) in all matters concerning the issue, revocation, suspension or renewal of a licence, the decision of the Conservator shall be final and binding.

69. *Licence to hawkers.*—No person shall take on to the premises of the port or on board any vessel any goods with the object of selling the same without a licence from the Traffic Manager. A licence for the purpose shall be issued on the following conditions, namely:—

- (a) every licence shall be valid for a period of one year, expiring on the 31st day of March of the year following the year in which the licence is issued and shall be renewable every year on the 1st April;
- (b) the applicant for a licence shall have to obtain the prior approval in writing from the Collector of Customs and the respective steamer agents;
- (c) the licensee shall pay a sum of Rs. 2/- per annum as administrative charges to the port authority;
- (d) the licence shall be non-transferable, and may be revoked by the Traffic Manager any time without assigning any reason for doing so;
- (e) the commodities in respect of which licences for hawking may be granted, shall be a matter of exclusive discretion of the Traffic Manager.

70. *Refund of charges.*—No application for a refund of any toll, due, rent, fee or any other charges paid under the provisions of the Act or these rules shall be entertained unless the same is preferred in writing within six months with the original documents as proof of payment, from the date when such toll due, rent, fee or any other charges were paid. This rule shall not apply in case of a refund arising from any error committed by an employee of the Port.

71. *Issue of licence to cooper, carpenters etc.*—No person shall work as a cooper, carpenter or repairer on the port premises or take his tool, appliances and instruments required for his work of opening, fixing, repairing breaking or such other work without a licence granted to him by the Traffic Manager. A licence shall be granted by the Traffic Manager subject to the following being proved to his satisfaction:—

- I. (a) experience,  
(b) no objection by Customs,  
(c) reliability;
- II. every licensee shall also pay a sum of Rs. 2 as administrative charges to the port authority;
- III. a licence granted may be revoked by the Traffic Manager, without assigning any reason for doing so, at any time, during the term of the licence, which shall ordinarily, be for one year from the 1st April of each year.

[No. 3-PH(78)/54.]

(Office of the Development Commissioner, Kandla)

Gandhidham (Kutch), the 22nd September 1955

SUBJECT:—Port of Kandla (Carbide of Calcium) Regulations 1955

S.R.O. 2145.—In exercise of the Powers conferred by Rule 13 of the Carbide of Calcium Rules, 1937, the Development Commissioner, Kandla is pleased to prescribe the following Regulations for the handling of Carbide of Calcium at the Port of Kandla.

1. These Regulations may be called the Port of Kandla (Carbide of Calcium) Regulations, 1955.

2. Carbide of Calcium shall be landed only between Sunrise and Sunset at such places as the Conservator of the Port shall direct.

3. The landing of Carbide of Calcium shall not be permitted except under the direct supervision of a member of the Port Staff and not lower in rank than that of a Wharf Supervisor and on production of permits granted by the Customs Authorities and the Traffic Manager.

4. If the Officer supervising the landing observes a receptacle defective or in any way different from those authorised by the instructions contained in Rules (3)-(h) and (6) of the Carbide of Calcium Rules 1937, he shall on no account, allow it to be landed until a written order as to its disposal has been obtained from the Collector of Customs or from an officer of Customs duly authorised by him in his behalf.

5. Receptacles containing Carbide which do not satisfy the requirements of Rule 6 of the Carbide of Calcium Rules 1937 or which are defective, and which the Collector of Customs requires to be submerged in deep water shall be submerged in water of not less than 10 fathoms in depth under the direction of the Conservator of the Port or any Officer deputed by him for the purposes.

6. Every precaution shall be taken to prevent the contact of water with Carbide of Calcium brought into the Port and where such contact has occurred, the orders of the Traffic Manager must be obtained at once by telephone or by other quick means as to the disposal of the affected package.

7. When the owner of the Carbide or his Agent fails to take reasonable precautions to prevent the ignition of gas given off by Carbide as required by Rule 9 of the Carbide of Calcium Rules 1937, the Conservator of Port may take such action as is reasonable for the safety of other vessels and property in the Port and may recover such reasonable expenses for so doing as may have been incurred.

8. Due precautions shall be taken to prevent unauthorised persons from having access to the Carbide of Calcium in the Port Area.

9. In no circumstances shall a naked lamp or other unprotected artificial light be taken near the place of storage of Carbide of Calcium.

M. GANAPATI,

Development Commissioner, Kandla.

[No. 6-GA(3)/54-B.]

T. S. PARASURAMAN, Dy. Secy.

## MINISTRY OF COMMERCE AND INDUSTRY

New Delhi, the 23rd August 1955

### COFFEE CONTROL

**S.R.O. 2146.**—In pursuance of sub-section (1) of Section 9 of the Coffee Act, 1942 (VII of 1942), the Central Government is pleased to appoint Sri M. R. Parthasarathy, formerly Deputy Chief Coffee Marketing Officer under the Indian Coffee Board, Bangalore, as Chief Coffee Marketing Officer, Coffee Board, Bangalore.

The appointment hereby made shall be deemed to have been made and to have taken effect on the 1st August 1955.

[No. F.13(3)Plant/55.]

HARBANS SINGH, Under Secy.

New Delhi, the 27th September 1955

**S.R.O. 2147.**—In exercise of the powers conferred by sub-section (a) of clause 2 of the Iron and Steel (Control of Production and Distribution) Order, 1941, the Central Government is pleased to direct that the following amendment shall be made in the Notification of the Government of India in the late Ministry of Industry and Supply, No. I(1)-4(41), dated the 7th September, 1950, as amended from time to time, namely:—

To the Schedule annexed to the said notification, the following entry shall be added, namely:—

“All Deputy Commissioners and Sub-Divisional Officers in Assam”.

[No. SC(A)-4(251)/55.]

M. R. MENON, Under Secy.

**Indian Standards Institution***Delhi, the 23rd September, 1955*

**S.R.O. 2148**—In pursuance of sub-regulations (2) and (3) of regulation 3 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto-annexed, have been established during the period of 17 to 23 September, 1955.

**THE SCHEDULE**

Sl. No.	No. and title of the Indian Standard established	No. and title of the Indian Standard or standards, if any, superseded by the new Indian Standard	Brief Particulars
1	2	3	4
	IS : 538-1955 Specification for Phenol (Carbolic Acid)	..	This standard prescribes the requirements and the methods of test for Phenol (Carbolic Acid) used in the manufacture of fine chemicals, pharmaceuticals, dyes and synthetic resins, and as an antiseptic. (Price Rs. 2/-).
2.	IS : 539-1955 Specification for Naphthalene.	..	This standard prescribes the requirements and methods of test for Naphthalene for use as a moth repellent, skin preservative and as a chemical for the production of organic intermediates in the manufacture of dyes, drugs, etc. (Price Rs. 1/8).

Copies of all these standards are available for sale with the Secretary (Administrations), Indian Standards, Institution, 19 University Road, Delhi-8

D. V. KARMAKAR,  
Deputy Director (Marks),  
Indian Standards Institution.

[No. MDC/11(4).]

T. S. RAMASWAMI, Under Secy.

**MINISTRY OF COMMUNICATIONS****(Posts and Telegraphs)***New Delhi, the 26th September 1955*

— **S.R.O. 2149**—In exercise of the powers conferred by the Indian Post Office Act, 1898 (VI of 1898), the Central Government hereby makes the following further amendment in the Indian Post Office Rules, 1933, namely:—

1. In rule 183 of the said Rules, after item (oo) the following item shall be inserted, namely:—

“(pp) The Secretary, the Indian Council of Medical Research, provided that the articles posted by him relate solely to the business of the said Council.”

[No. C.24-3/55.]

V. M. BHIDE, Dy. Secy.

*New Delhi, the 27th September 1955*

**S.R.O. 2150.**—The following draft of a further amendment to the Indian Aircraft Rules, 1937, which the Central Government proposes to make in exercise of the powers conferred by section 5 of the Indian Aircraft Act, 1934 (XXII of 1934), is published, as required by section 14 of the said Act, for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 31st December, 1955.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified, will be considered by the Central Government.

*Draft amendment*

In rule 8 of the said rules, for sub-rule (5), the following sub-rule shall be substituted, namely:—

“(5) Every consignor of goods by air, other than a consignor to whom sub-rule (4) applies, shall make a written declaration to the effect that the consignment does not contain any goods of the nature specified in sub-rule (1) and shall deliver the same to the air carrier:

Provided that no such declaration shall be necessary in the case of international carriage of goods if the nature of the goods is clearly indicated in the air way-bill”.

[No. 10-A/74-53.]

K. V. VENKATACHALAM, Dy. Secy.

**MINISTRY OF HEALTH**

*New Delhi, the 22nd September 1955*

**S.R.O. 2151.**—In pursuance of sub-sections (1) and (2) of section 12 of the Pharmacy Act, 1948 (VIII of 1948), the Pharmacy Council of India, at its meeting held on the 13th of August, 1955, passed the following resolution:—

“The Pharmacy Council of India considered the reports of the Inspectors on the Diploma in Pharmacy and B. Pharm. courses of study conducted by the Punjab University at the Medical College, Amritsar, and also the comments of the Principal, Medical College, Amritsar. The Council is of the opinion that the ‘Diploma in Pharmacy’ course of study complies substantially with the Education Regulations. The Council therefore, approves of, under Section 12(1) of the Pharmacy Act, for a period of two years, the ‘Diploma in Pharmacy’ course of study for the purpose of admission to an approved examination for pharmacists. The ‘Diploma in Pharmacy’ examination is also approved, under Section 12(2) of the Act, as qualifying examination for registration as pharmacist.

The approval of the B. Pharm. course will be taken up on receipt of the reply from the Punjab University.”

P. S. RAMACHANDRAN,

Assistant Drugs Controller (India).

[No. F.7-69/55-P.]

P. N. ANAND, Under Secy.

**CORRIGENDUM**

*New Delhi, the 20th September 1955*

**S.R.O. 2152.**—In this Ministry's Notification No. F.5-6/55-M, dated the 5th February 1955, delete sub-para. (b), and also omit the brackets and letter ‘a’ occurring before the first sub-paragraph.

[No. F.5-6/55-M.I.]

BABU RAM, Under Secy.

**MINISTRY OF PRODUCTION**

*New Delhi, the 17th September 1955*

**S.R.O. 2153.**—In exercise of the powers conferred by clause (b) of sub-section (3) of section 4 of the Central Silk Board Act, 1948 (LXI of 1948), read with sub-rule (1) of rule 8 of the Central Silk Board Rules, 1955, the Central Government hereby directs that the following amendment shall be made in the Notification of the Government of India in the Ministry of Commerce and Industry No. S.R.O. 784, dated the 7th April, 1955, namely:—

In the said notification, for item No. 3, the following item shall be substituted, namely:—

“3. Shrimati P. Johari, Deputy Secretary to the Government of India, Ministry of Production”.

[No. 22(1)-Cot.Ind(Silk)/55.]

G. S. SHARMA, Under Secy.

**MINISTRY OF FOOD AND AGRICULTURE**

*New Delhi, the 21st September 1955*

**S.R.O. 2154.**—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby directs that the undermentioned orders and notifications shall cease to be in force in the State of Patiala and East Punjab States Union on the date on which this notification is published in the Gazette of India—

(i) the Foodgrains (Licensing and Procurement) Order, 1952;

(ii) the following notifications of the Government of India in the Ministry of Food and Agriculture:—

(a) No. S.R.O. 1162, dated the 15th June, 1953,

(b) No. S.R.O. 1677, dated the 7th September, 1953,

(c) No. PYII-652(23), dated the 10th September, 1953, and

(d) No. PYII-652(23), dated the 23rd June, 1954; and

(iii) the Patiala State Foodgrains (Futures and Options Prohibition) Order, 1945, issued by the Government of Patiala and published with the notification No. Leg/110, dated the 15th January, 1946 in the Patiala Government Gazette, dated the 27th January, 1946.

[No. PYII-653(23)/55.]

S. N. BHALLA, Dy. Secy.

*New Delhi, the 22nd September 1955*

**S.R.O. 2155.**—In pursuance of the provisions of Section 4(4)(iii) of the Indian Lac Cess Act, 1930 (XXIV of 1930), the Calcutta Shellac Brokers' Association have renominated Mr. A. M. Arathoon of Messrs. A. M. Arathoon Ltd., 11, Stephen House, 5, Dalhousie Square East, Calcutta-1, as a member of the Governing Body of the Indian Lac Cess Committee to represent the Shellac export trade with effect from 1st October, 1955.

[No. F.4-4/55-Com.I.]

**S.R.O. 2156.**—In pursuance of the provisions of Section 4(4)(iv) of the Indian Lac Cess Act, 1930 (XXIV of 1930), the Calcutta Shellac Brokers' Association have renominated Shri B. L. Singh of 14, Bentinck Street, Calcutta, as a member of the Governing Body of the Indian Lac Cess Committee to represent the lac brokers and shellac brokers in Calcutta with effect from 1st October, 1955.

[No. F.4-6/55-Com.I.]

F. C. GERA, Under Secy.

**MINISTRY OF REHABILITATION***New Delhi, the 14th September 1955*

**S.R.O. 2157.**—In exercise of the powers conferred by sub-section (1) of section 6 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950), the Central Government hereby appoint for the State of Delhi, in consultation with the Custodian General, Shri Metharam Hiranand, temporary Superintendent in the office of the Custodian of Evacuee Property, Delhi, as Assistant Custodian of Evacuee Property in the same office, for the purpose of discharging the duties imposed on the Custodian by or under the said Act, within the said State, with effect from 19th August, 1955.

[No. XVI-8(98)/55-Prop.II.]

*New Delhi, the 24th August 1955*

**S.R.O. 2158.**—In exercise of the powers conferred by Section 23 of the Evacuee Interest (Separation) Act, 1951 (LXIV of 1951), the Central Government hereby makes following further amendment to the Evacuee Interest (Separation) Rules, 1951 namely:—

To sub-rule (2) of rule E the following shall be added, namely:—

“and such officer shall file the copy in his Book No. 1.”

[No. (EISR)/Am(1).I]

*New Delhi, the 1st October 1955*

**S.R.O. 2159.**—In exercise of the powers conferred by Section 5 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950), the Central Government hereby appoints Shri C. B. Capoor, Deputy Custodian General of Evacuee Property as Custodian General of Evacuee Property, for the purpose of discharging all the functions under the said Act, vice Shri Sankar Saran granted leave with effect from the 12th September, 1955.

[No. XVI-9(14)/55-Prop.II.]

J. J. KARAM, Under Secy.

*New Delhi, the 22nd September 1955*

**S.R.O. 2160.**—In exercise of the powers conferred by Sub-Section (1) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri H. A. Mahtani as Assistant Settlement Commissioner for the purpose of performing the functions assigned to such officer by or under the said Act with effect from the date he took charge of his office.

[No. 5/33/55-S.II.]

M. L. PURI, Under Secy.

*New Delhi, the 26th September 1955*

**S.R.O. 2161.**—In pursuance of sub-rule (1) of rule 95 of the Displaced Persons (Compensation and Rehabilitation) Rules, 1955, the Central Government hereby invites applications in the form specified in Appendix XXVI to the said Rules, within ninety days from the date of publication of this notification, for the payment of rehabilitation grants, from every displaced person—

- (a) who came to India from West Pakistan before the 31st July, 1952; and
- (b) who has left immovable property in West Pakistan in respect of which he holds title deeds or possesses other documentary evidence of title, but in respect of which he was prevented by sufficient cause from filing a claim under the Displaced Persons (Claims) Act, 1950 (XLIV of 1950).

[No. F.44(6)SI/55.]

K. J. GEORGE, Dy. Secy.



**MINISTRY OF LABOUR**

*New Delhi, the 21st September 1955*

**S.R.O. 2162.**—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (XIX of 1952), and in supersession of the Notification of the Government of India in the Ministry of Labour No. PF-516(48), dated the 9th September, 1952, the Central Government hereby appoints Shri Harbans Raj Singh, officiating Labour Commissioner, Punjab, to be an Inspector for the whole of the States of Punjab and Himachal Pradesh in addition to his own duties, for the purpose of the said Act and of any Scheme made thereunder, in relation to factories within those States engaged in a controlled industry or in an industry connected with a mine or an oilfield.

[No. PF-31(114)/55-I.]

**S.R.O. 2163.**—In pursuance of the provisions of paragraph 20 of the Employees' Provident Funds Scheme 1952, made under section 5 of the Employees' Provident Funds Act, 1952 (XIX of 1952), and in supersession of the Notification of the Government of India in the Ministry of Labour No. PF-516(48), dated the 17th September 1952, the Central Government hereby appoints Shri Harbans Raj Singh, officiating Labour Commissioner, Punjab, to be the Regional Provident Fund Commissioner, for the whole of the States of Punjab and Himachal Pradesh to work under the general control and superintendence of the Central Provident Fund Commissioner.

[No. PF-31(114)/55-II.]

**S.R.O. 2164.**—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (XIX of 1952), and in supersession of the Notification of the Government of India in the Ministry of Labour No. PF-516(128), dated the 16th June 1953, the Central Government hereby appoints Shri J. C. Batra, to be an Inspector for the whole of the States of Punjab and Himachal Pradesh for the purpose of the said Act, and of any Scheme made thereunder, in relation to factories within those States engaged in a controlled industry or in an industry connected with a mine or an oilfield.

[No. PF-31(114)/55-III.]

P. N. SHARMA, Under Secy.

*New Delhi, the 23rd September 1955*

**S.R.O. 2165.**—In exercise of the powers conferred by sections 7 and 9 of the Minimum Wages Act, 1948 (XI of 1948), the Central Government hereby nominates Shri S. K. Mukerjee, IAS, Deputy Secretary to the Government of India, Ministry of Defence, New Delhi, to be a member of the Advisory Board appointed in the notification of the Government of India in the Ministry of Labour, No. S.R.O. 2088, dated the 21st June, 1954, vice Shri R. N. Vasudeva, IAS, and the following further amendment shall be made in the said notification, namely:—

In the said notification, under the heading "(2) Representatives of employers", for entry, "2. Shri R. N. Vasudeva, IAS, Deputy Secretary to the Government of India, Ministry of Defence New Delhi", the following entry shall be substituted, namely:—

"2. Shri S. K. Mukerjee, IAS, Deputy Secretary to the Government of India, Ministry of Defence, New Delhi".

[No. LWI-6(7)/55.]

P. D. COMMAR, Under Secy.

*New Delhi, the 23rd September 1955*

**S.R.O. 2166.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the All India Industrial Tribunal (Colliery Disputes) in the matter of an application under section 33A of the said Act from Shri G. N. Chakraborty, a workman of Loyabad Colliery.

**ALL INDIA INDUSTRIAL TRIBUNAL (COLLIERY DISPUTES), CALCUTTA**

APPLICATION No. 9 of 1955 U/s 33A

In the matter of an application U/s 33A of Industrial Disputes Act, 1947,

## PRESENT:

Shri J. N. Majumdar—*Chairman.*

Shri S. P. Chopra —*Member.*

Shri T. N. Mallappa—*Member.*

## PARTIES:

G. N. Chakraborty, Fitter, Loyabad Ropeway, P.O. Bansjora, Dist. Manbhum—*Complainant.*

*Vs.*

The Chief Mining Engineer, M/s. Bird & Co. Ltd.,

*And*

M/s. F. W. Heilgers & Co. Ltd., P.O. Sijua, Dist. Manbhum—*Opposite Party.*

## APPEARANCES:

- (1) Shri Lalit Burman, General Secretary, Loyabad Labour Union—*For the Complainant.*
- (2) Shri D. Bose Thakur, Solicitor, M/s. Orr Dignam & Co.—*For the Opposite Party.*

## AWARD

*Dated, the 6th day of September, 1955*

This is a complaint under section 33A of the Industrial Disputes Act, 1947, by G. N. Chakraborty, a Fitter of Loyabad Colliery.

(2) The complainant's case is that he was working under the Opposite Party for about 12 years; for 9 years in the Ropeway of Standard Colliery as a Bucket Checker and for about 3 years under the Loyabad Colliery as a Fitter and his services were terminated by a notice on the 12th of February, 1955, without obtaining any permission of this Tribunal, as required under section 33 of the Industrial Disputes Act.

(3) The notice of the 12th February, 1955, runs as follows:—

To

G. N. Chakraborty, Fitter.

Dear Sir,

Due to inadequate deposit of sand in the river this year we can excavate sand sufficient only to work the Ropeway for 2 shifts. It has, therefore, become necessary to dispense with your services. Your services will not be required from 14th February, 1955, but you will be paid one month's wages in lieu of notice. You are advised to collect all your dues within a week from date, after handing over Company's quarters and any other Company's property that may be in your possession.

Yours faithfully,

(Sd.) Illegible,

Dy. Chief Mining Engineer.

(4) It may be pointed out that this Tribunal was constituted by a Notification published in the Gazette of India (Extraordinary) on the 25th February, 1955, in supersession of the Notification by which another Tribunal was constituted for adjudication of the identical disputes. The termination of services by notice of the 12th February, 1955, was effected from the 14th February, 1955, when this Tribunal was not in existence and as such this Tribunal would have no jurisdiction to entertain a complaint under section 33A in respect of the termination of employment at a time when this Tribunal was not in existence and no proceedings were pending before it.

(5) On behalf of the Complainant it was contended that under Rule 21 of the Standing Order for the Coal Mining Industry for a monthly paid staff one month's notice is required to be given for terminating employment and the notice in the present case having been given on the 12th of February, 1955, the termination of the employment of the complainant cannot take place before the expiry

of one month, viz., the 12th March, 1955. Therefore, the services of the complainant must have to be deemed to have been continuing till the 12th of March, 1955, when the Complainant's services came to be terminated pursuant to the notice given on the 12th of February, 1955. On the 12th of March, 1955, this Tribunal had already come into existence and, therefore, the Tribunal had jurisdiction to entertain this application.

(6) We are unable to accept this contention. The language of the notice of the 12th of February, 1955, is perfectly clear, where it is stated "Your services will not be required from 14th February 1955". Therefore, the services had been terminated from the 14th of February, 1955. This termination of services might be illegal and the complainant may have different remedies for wrongful termination of services either in the Civil Law or in the Industrial Disputes Act, but that is a matter which this Tribunal, which did not come into existence at that time, is not competent to decide. Besides that, Rule 22 of the Standing Order for the Coal Mining Industry gives an option to the management to make payment of wages for appropriate period in lieu of notice. This was offered also in the notice of the 12th February, 1955, in which it was stated that the complainant's employment was terminated from the 14th of February, 1955. As payment is made "in lieu of notice", it is clear that the termination of service under this rule comes into effect immediately and will not continue for one month more as was argued.

As the services of the applicant were, under this rule, terminated on 12th February, 1955, before this Tribunal was formed, it follows that it has no jurisdiction to go into this matter.

(7) The complaint, therefore, is not maintainable before this Tribunal.

(Sd.) J. N. MAJUMDAR, *Chairman*.

(Sd.) S. P. CHOPRA, *Member*.

(Sd.) T. N. MALLAPPA, *Member*.

[No. LR.2(107)/54.]

*New Delhi, the 24th September 1955*

**S.R.O. 2167.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the All India Industrial Tribunal (Colliery Disputes), in the matter of an application under section 33A of the said Act from Shri Bijoy Singh, a workman of Loyabad Colliery.

#### ALL INDIA INDUSTRIAL TRIBUNAL (COLLIERY DISPUTES), CALCUTTA

APPLICATION No. 7 of 1955 (U/s 33A)

In the matter of an application U/s 33A of Industrial Disputes Act, 1947.

##### PRESENT:

Shri J. N. MAJUMDAR—*Chairman*.

Shri S. P. CHOPRA—*Member*.

Shri T. N. MALLAPPA—*Member*.

##### PARTIES:

Bijoy Singh, Bucket-Sirdar, Loyabad Ropeway, P.O. Bansjora, Dist. Manbhum—*Complainant*.

*Vs.*

The Chief Mining Engineer, M/s. Bird & Co. Ltd.,

*And*

M/s. F. W. Heilgers & Co. Ltd., P. O. Sijua, Dist. Manbhum—*Opposite Party*.

##### APPEARANCES:

(1) Shri Lalit Burman, General Secretary, Loyabad Labour Union—*For the Complainant*.

(2) Shri D. Bose Thakur, Solicitor, M/s. Orr Dignam & Co.—*For the Opposite Party*.

## AWARD

Dated, the 5th day of September, 1955

The facts of this case and the contention on behalf of the complainant are similar to those of application No. 9 of 1955 (G. N. Chakravarti, Fitter, Loyabad Colliery Vs. The Chief Mining Engineering, M/s. Bird & Co. Ltd. & M/s. F. W. Heilgers & Co. Ltd.) in which we have given an award. We hold that this Tribunal has no jurisdiction to deal with the complaint.

(Sd.) J. N. MAJUMDAR, *Chairman*.

(Sd.) S. P. CHOPRA, *Member*.

(Sd.) T. N. MALLAPPA, *Member*.

[No. L.R.2(107)/54.]

New Delhi, the 26th September 1955

**S.R.O. 2168.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the All India Industrial Tribunal (Colliery Disputes), Calcutta, in the matter of an application under section 33 A of the said Act from Shri Hrudananda Patnaik, a workman of the Talcher Coalfield Ltd.

## ALL INDIA INDUSTRIAL TRIBUNAL (COLLIERY DISPUTES), CALCUTTA

APPLICATION No. 4 of 1955 (U/s 33A)

In the matter of an application u/s 33A of the Industrial Disputes Act, 1947.

## PRESENT:

Shri J. N. Majumdar,—*Chairman*.

Shri S. P. Chopra,—*Member*.

Shri T. N. Mallappa,—*Member*.

## PARTIES:

Hrudananda Patnaik,

C/o. Secretary,

Talcher Coalfields Workers' Union,

P.O. Deulbera Colliery,

Dt. Dhenkanal,

Orissa.—*Complainant*.

Vs.

The Employers of Talcher Coalfield Ltd.,

as represented by Manager, Talcher

Coalfields Ltd.,

P.O. Deulbera Colliery,

Dt. Dhenkanal,

Orissa.—*Opposite Party*.

## APPEARANCES:

Shri Dhuliswar Bastia,

General Secretary,

Talcher Coalfields Workers' Union for the Complainant.

None for the Opposite Party.

## AWARD

Dated, the 29th day of August 1955

This is an application under section 33A of the Industrial Disputes Act by one Hrudananda Patnaik against the Talcher Coalfields Ltd. When, after due service of the notice for hearing, the application is taken up, Shri Bastia appearing on behalf of the applicant states that he does not want to proceed with the application and seeks our permission to withdraw it. He places before us a copy of the settlement which, according to him, is actually the basis for the withdrawal. But the opposite party is not present before us.

In the circumstances, we pass an award permitting the applicant to withdraw his application, as there is no longer any subsisting industrial dispute which requires to be adjudicated upon by us. Ordered accordingly.

(Sd.) J. N. MAJUMDAR, *Chairman*.

(Sd.) S. P. CHOPRA, *Member*.

(Sd.) T. N. MALLAPPA, *Member*.

[No. LR.2(107)/54.]

**S.R.O. 2169.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the dispute between the Punjab National Bank Limited and its workmen.

### CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT DHANBAD

REFERENCE No. 18 OF 1955.

#### PRESENT

Shri P. S. Bindra, B.A.L.L.B.,—*Chairman*.

#### PARTIES:

The employers in relation to the Punjab National Bank Limited.

and

Their workmen

#### APPEARANCES:

*For the employers:*

Shri B. D. Bhambri,  
Manager, Punjab National Bank Limited.,  
Simla Branch.

*For the workmen:*

Shri Sushil Kumar.

#### AWARD

By order No. S.R.O. 1554 dated 11th July 1955, the Government of India, in the Ministry of Labour, has referred the industrial dispute between the employers in relation to the Punjab National Bank Limited and their workmen in respect of the matters referred to in the Schedule which runs as follows:—

"Alleged victimisation for trade union activities in the following cases of transfers of workmen:

- (i) Shri Darshanlal Mehta from Jamnagar to Ballabagarh in or about January 1955;
- (ii) Shri Sushil Kumar from Ferozepur Cantt to Simla in or about February, 1955; and
- (iii) Shri Ramjidas Dhall from Rohtak to Sonapat, in or about October 1954.

Proper notices were issued to the parties and the case was fixed for hearing for the 19th September. The parties came to a compromise and they produced the agreement Exhibit A-1 which is proved by the evidence of Shri Sushil Kumar, one of the aggrieved workmen and Shri B. D. Bhambri, Manager, Punjab National Bank Ltd., Simla Branch. The bank has agreed to transfer Shri Darshanlal Mehta to Yamuna Nagar and the other two employees namely, Shri Sushil Kumar and Ramjidas Dhall have given up their cases.

The Bank is granted one month's time to transfer Shri Darshanlal Mehta to Yamuna Nagar from the date of the publication of this award. The other two employees have given up their cases. I pass my award accordingly.

(Sd.) P. S. BINDRA, *Chairman*,

Central Government's Industrial Tribunal,

The 20th September 1955.

Dhanbad.

[No. LR-100(14)/55.]

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**ORDER**

*New Delhi, the 27th September 1955*

**S.R.O. 2170.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the mica mines of Messrs. Duduwala and Company, Bhilwara, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7 and clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (XIV of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri Sardul Singh Mehta, R.J.S., Judge, Industrial Tribunal, Rajasthan, Jaipur, shall be the sole member and refers the said dispute for adjudication to the said Tribunal.

**SCHEDULE**

1. Bonus at the rate of four months' wages for the years 1951-52 and 1952-53.
2. Quarterly bonus of 15 days wages per quarter for the years 1945-46 to 1947-48.
3. Increased wages for cutters, underground workers and surface workers.
4. Grant of annual increments and refixation of pay.
5. Grant of one month's privilege leave and 15 days casual leave in a year to the monthly paid staff.

[No. L.R.2(50)/55.]

P. S. EASWARAN, Under Secy.

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*New Delhi, the 27th September 1955*

**S.R.O. 2171.**—In exercise of the powers conferred by section 38 of the Industrial Disputes Act, 1947 (XIV of 1947), read with section 3 of the Working Journalists (Industrial Disputes) Act, 1955 (I of 1955), the Central Government makes the following rule, the same having been previously published as required by sub-section (1) of the said section 38, namely:—

The provisions of the Industrial Disputes (Central) Rules, 1947, as in force for the time being, shall apply to, or in relation to, working journalists as they apply to, or in relation to, workmen within the meaning of the Industrial Disputes Act, 1947.

[No. LR.1(32)/55.]

N. C. KUPPUSWAMI, Dy. Secy.

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**MINISTRY OF INFORMATION & BROADCASTING**

*New Delhi, the 28th September 1955*

**S.R.O. 2172.**—In exercise of the powers conferred by Sub-section (2) of section 5 of the Cinematograph Act, 1952 (XXXVII of 1952), the Central Government hereby directs that the film entitled "The Man From Bitter Ridge" and its trailer produced by the Universal International Films Inc. U.S.A. shall be deemed to be uncertified films in the whole of India.

[No. 8/18/55-FC.]

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**ORDER**

*New Delhi, the 28th September 1955*

**S.R.O. 2173.**—In pursuance of clause 2 of the directions issued under the provisions of each of the enactments specified in the First Schedule to the Order of the Government of India in the Ministry of Information and Broadcasting No. S.R.O. 945 dated the 28th April, 1955 the Central Government with previous approval of the Film Advisory Board, Bombay hereby certifies the

film specified in column of 2 of the schedule hereto annexed, in all its language versions, to be of the description specified against it in the corresponding entry of column 5 of the said schedule.

## SCHEDULE

S. No.	Title of the Film	Name of the Producer	Source of Supply	Whether a scientific film or a film intended for educational purposes or a film dealing with news and current events or a docu- mentary film
I	2	3	4	5
1.	Indian News Review No. 357.	Govt. of India, Films Division, Bombay.	Govt. of India, Film Division, Bombay.	Film dealing with news and current events.

[No. 1/16/55-F:App/51.]

D. KRISHNA AYYAR, Under Secy.

